

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 Council Meeting held January 24, 2017.

Vote all ayes
Motion carried

APPROVAL OF MONTHLY REPORTS – JANUARY

A motion was made by Mr. Smith seconded by Mr. Rylak to approve the monthly reports for the month of January 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, Water Collector’s Report, Zoning Officer Report.

Vote all ayes
Motion carried

PUBLIC COMMENT

Sharon Bittenmaster, Chair of the Board of Health, came before Council to address installing dog waste containers and baggies dispensers in a few locations in Town. Ms. Bittenmaster researched several types of pet waste stations and submitted information on them. Ms. Bittenmaster is an avid walker and pet lover. She observes pet waste in many locations and felt that making baggies available would help. She also mentioned that on trash cans the wording “trash only” appears. Ms. Bittenmaster suggested pet stations near existing trash cans so it would not be an extra location for public works to have to travel to to empty, or just remove the wording on the trash cans allowing dog owners to deposit their waste bags. It is obvious from areas like Hunts Mill Park, the Community Center, Water Street parking lot and near the Pony Truss Bridge along the South Branch, that a need exists for dog walkers to clean up after their pets. Installation of stations and dispensers will be greatly appreciated by dog owners as well as non-owners who will greatly appreciate the cleaner environment. Ms. Bittenmaster asked Council to consider the health hazards of dog waste left behind because an owner may have run out of bags. Mr. Smith, Chairman of the Buildings and Grounds Committee said the committee needs to discuss this further at their next meeting. Copies of Ms. Bittenmaster’s research will be distributed to the committee.

CLINTON CONSERVANCY – SUSTAINABLE JERSEY GRANT

Kathy Madden of the Clinton Conservancy Group returned to distribute a copy of the project description being submitted for the grant for Council to review. Ms. Madden and the Green Team are applying for a Sustainable Jersey Grant.

MAYOR'S COMMENTS

1. Boy Scouts of America 2017 Distinguished Citizen Awards Dinner to be held Thursday, March 9, 2017 at the Ryland Inn. See clerk for more information.
2. Save the Date received for Friends of Education Gala will be held at Razberry's Caterers, Friday, May 12, 2017 from 6 – 10 PM.
3. The Women's Guild of Clinton held a luncheon and invited members of the Clinton Police Department, First Aid & Rescue Squad, Police Department and Council to show their appreciation for everything they do for the community. Large baskets of homemade cookies were beautifully wrapped and given to each department! They were all very pretty and delicious!
4. Meals on Wheels in Hunterdon participates in the 16th National March for Meals campaign in March. An invitation to Mayor Kovach and Council asking for participation to help deliver meals to senior clients during the Community Champions Week March 20 -23, 2017.

PROCLAMATION PRESENTATION – JACK JEFFRIES

Board of Recreation member, Jack Jeffries has been a member of the Commission for over 15 years and has decided to step down. Mayor Kovach invited Mr. Jeffries to “center stage” and read the proclamation aloud. Accompanied by his wife to the meeting and supported by Chairwoman, Rosemary Pendergast, Secretary, Nancy Smith and council liaisons members Sosidka and Carberry, they posed with Mr. Jeffries for a photo. A round of applause!

PUBLIC HEARING OF ORDINANCE #1-17 – HEALTH BENEFITS

A motion was made by Mr. Pendergast, seconded by Mr. Rylak to open the public hearing of Ordinance #1-17:

**ORDINANCE #17-1
ORDINANCE REQUIRING EMPLOYEE CONTRIBUTIONS TOWARDS
HEALTH BENEFITS PROVIDED BY THE TOWN**

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 #17-01 on final reading.

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

Vote all ayes
Motion carried

INTRODUCTION OF ORDINANCE #17-02 – WATER RATES

A motion was made by Mr. Smith, seconded by Mr. Pendergast to introduce Ordinance #17-02 on first reading as submitted:

ORDINANCE #17-02

AN ORDINANCE AMENDING THE RATE SCHEDULE OF THE WATER DEPARTMENT OF THE TOWN OF CLINTON, COUNTY OF HUNTERDON, NEW JERSEY

WHEREAS, the Town of Clinton (the “Town”) through its Water Department supplies water to the residents of the Town and to customers located in other municipalities; and

WHEREAS, the Town’s water rates were subject to review and approval by the New Jersey Board of Public Utilities (the “BPU”) because the Water Department supplies water to customers who are located outside of the Town; and

WHEREAS, P.L. 2005, c. 267, §1, codified at *N.J.S.A.* 40A:31-23(e), became effective on January 5, 2006, exempting from BPU rate regulation the rates and charges of a municipal water utility which charged the same rates to customers who reside within the municipality and those who reside outside the municipality; and

WHEREAS, the annual rates and charges currently assessed by the Town for water are set forth in a tariff filed with and approved by the Board of Public Utilities in 1994; and

WHEREAS, the rates in the 1994 tariff are the same for customers who reside within the Town and those who reside outside the Town; and

WHEREAS, the Town, as provided by *N.J.S.A.* 40A:31-23(e), is therefore exempt from BPU regulation as to rates; although it is still subject to BPU jurisdiction with respect to service and reliability; and

WHEREAS, the BPU requires municipalities enacting rate changes pursuant to *N.J.S.A.* 40A:31-23(e) to file with the BPU for informational purposes both the ordinance revising the tariff and the revised tariff; and

WHEREAS, the Water Department faces increased costs of providing water service to its customers, and additional revenues are needed to cover the costs of various system improvements; and

WHEREAS, the Mayor and Council have been advised that without rate increases the water utility would not be adequately funded and the public would be at risk; and

WHEREAS, the Water Department serves customers in the Town of Clinton, the Township of Clinton, the Borough of Lebanon, the Township of Union, and the Township of Franklin, which are all municipalities located in the Highlands Region; and are, therefore, subject to the provisions of the Highlands Water Protection and Planning Act (“Highlands Act”, P.L. 2004, c. 120); and

WHEREAS, the Highlands Act created the Highlands Water Protection and Planning Council (“Highlands Council”) and charged the Highlands Council with the task of developing a Regional Master Plan; and

WHEREAS, the Highlands Regional Master Plan identifies the availability of water in each subwatershed in the Highlands Region, and the Water Department draws water from groundwater wells located in subwatersheds which are in water supply deficit; and

WHEREAS, the Highlands Regional Master Plan calls for the development of a municipal Water Use and Conservation Management Plan for subwatersheds in water supply deficit, to consist of measures aimed at reducing and eliminating water supply deficits, and one of the recommended measures is the modification of water rates to enhance financial incentives for water conservation by end users; and

WHEREAS, the Town of Clinton wishes to encourage water conservation by revising the water rate structure; and

WHEREAS, a rate study has been performed in accordance with standard water supply industry practices, and

WHEREAS, the Mayor and Council wish to ameliorate the impact of increased water rates on the customers of the Water Department; and

WHEREAS, to that end they have balanced the need to raise funds to meet rising costs and construct system improvements against the impact of rate increases on customers and elected to phase in the increased water usage rates over a five year period; and

WHEREAS, in accordance with the provisions of *N.J.S.A. 40A:31-23(e)*, the Town of Clinton will continue to charge the same rates to the billed customers outside of the Town of Clinton as are charged to customers within the Town of Clinton;

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

SECTION 1. The Rate Schedule of the Town of Clinton Water Company Tariff for Water Service is amended as follows (deletions are shown as and additions are shown as thus):

RATE SCHEDULE

SCHEDULE 1 – General Metered Service

APPLICABILITY:

Applicable to the use of water supplied through meters in the entire territory served by the Company.

CATEGORIES:

Customers of the Town of Clinton Water Company are categorized into user classes as follows:

- a. Residential – One-family and two-family residential dwellings, and individually-metered condominium units;
- b. Commercial – Properties engaged in commercial or industrial activities;
- c. Multifamily – Multifamily dwellings, e.g. condominiums, where the units are not individually-metered;
- d. Irrigation – Metered accounts dedicated solely to irrigation, e.g. lawn sprinklers.

FIXED SERVICE CHARGE:

All general metered water service customers shall pay a fixed service charge based on the size of each meter installed by the Company. Customers with multiple meters shall be charged for each meter at the indicated rate. Whenever service is established or is discontinued all applicable fixed charges shall be prorated to date of establishment or discontinuance of service.

<u>Size of Meter</u>	<u>Per Quarter</u>				
	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
5/8"	\$26.54	\$29.86	\$33.59	\$37.79	\$42.51
3/4"	\$28.82	\$32.43	\$36.48	\$41.04	\$46.17
1"	\$41.83	\$47.06	\$52.94	\$59.56	\$67.00
1 1/2"	\$83.63	\$94.09	\$105.85	\$119.08	\$133.96
2"	\$133.81	\$150.53	\$169.35	\$190.52	\$214.33
3"	\$250.90	\$282.26	\$317.54	\$357.23	\$401.89
4"	\$418.16	\$470.43	\$529.24	\$595.39	\$669.82
6"	\$836.33	\$940.87	\$1058.47	\$1190.78	\$1339.63
8"	\$1338.12	\$1505.39	\$1693.56	\$1905.25	\$2143.41
10"	\$1672.65	\$1881.73	\$2116.95	\$2381.57	\$2679.26
12"	\$2090.81	\$2352.16	\$2646.18	\$2976.96	\$3349.08

CONSUMPTION CHARGE*:

In addition to the Fixed Service Charge set forth above, a charge will be made for all water used as registered by the meter.

A. Residential & Commercial Consumption Charge:

<u>Quantity (gallons)</u>	<u>Year:</u>	<u>Rate per thousand gallons</u>				
		<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
0 to 25,000		\$3.80	\$4.28	\$4.81	\$5.41	\$6.09
25,001 to 50,000		\$4.95	\$5.57	\$6.26	\$7.05	\$7.93
50,001 and >		\$6.44	\$7.24	\$8.14	\$9.16	\$10.31

B. Multifamily Consumption Charge:

<u>Quantity (gallons)</u>	<u>Year:</u>	<u>Rate per thousand gallons</u>				
		<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
All usage		\$4.95	\$5.57	\$6.26	\$7.05	\$7.93

C. Irrigation Consumption Charge:

<u>Quantity (gallons)</u>	<u>Year:</u>	<u>Rate per thousand gallons</u>				
		<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
All		\$6.44	\$7.24	\$8.14	\$9.16	\$10.31

* Consumption charges reflect a water tax of \$0.01 per 1,000 gallons of water consumed pursuant to Chapter 443 of the Laws of New Jersey 1983 concerning the periodic testing of public water supplies.

SCHEDULE II – Fire Protection Service – Public and Private

- (a) Hydrant Charge – \$303 per year
- (b) Unmetered lines for fire protection
 - 3-inch \$ 630.00 per year
 - 4-inch \$ 945.00 per year
 - 6-inch \$ 1260.00 per year
 - 8-inch \$ 1890.00 per year
 - 10-inch \$ 2520.00 per year
 - 12-inch \$ 3150.00 per year

SPECIAL PROVISIONS:

1. Certified Residential Health Care Facilities and rooming or boarding homes which are required to install private fire sprinkler systems pursuant to P.L. 1971, c. 136 (N.J.S.A. 26:2H-1, et seq.) and P.L. 1979, c. 496 (N.J.S.A. 55:13B-1, et seq.) and regulations promulgated under these two statutes shall be exempt from payment of the private fire protection service charges as detailed in the Rate Schedule II. Such exemption shall not be granted until the applicant has submitted to the Company, and the Company has reviewed and approved, evidence that the applicant is a licensed Residential Health Care Facility or rooming or boarding house and has been required to install a private fire sprinkler system pursuant to the above statutes and regulations.
2. In cases where fire hydrants are placed after the meter there will be no annual hydrant charge as detailed in Schedule II but will be subject to consumption charges as detailed in Rate Schedule I.

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 3. 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 4. Upon adoption, a copy of this ordinance and a copy of the revised tariff shall be filed with the BPU. The Town shall continue to pay an assessment to the Board for those billed customers outside of the Town pursuant to *N.J.S.A. 40A:31-23(g)*. The Town shall continue to file its BPU Annual Report and Statement of Gross Operating Revenues pursuant to *N.J.A.C. 14:3-6.3* and *N.J.S.A. 48:3-62*.

SECTION 4. This ordinance shall become effective following its final passage and publication as required by law. The new Fixed Service Charge and the 2017 Consumption Charge shall become effective April 1, 2017 and apply to usage after that date.

Vote all ayes
Motion carried

A copy of this Ordinance will be published in the Friday, February 17, 2017 edition of the Courier News. A public hearing will be held February 28, 2017.

RESOLUTION #44-17 – CANCELLATION OF LIEN

A motion was made by Mr. Smith seconded by Ms. Sosidka, to adopt Resolution #44-17 as submitted:

RESOLUTION # 44-17

WHEREAS, the Tax Collector of the Town of Clinton has been paid \$60,189.94, the amount necessary to redeem Tax Sale Certificate #2015-2 on Block 12, Lot 4.02, assessed to Ourown, Inc., and purchased by MTAG for Alterna Funding II, LLC.

NOW THEREFORE BE IT RESOLVED, on this 14th day of February 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 \$60,189.94(certificate) & \$71,000.00 (premium) to MTAG for Alterna Funding II, LLC, P.O. Box 54967, New Orleans, LA, 70154, 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 #2015-2 on Block 12, Lot 4.02, assessed to Ourown, Inc., from the Town of Clinton Tax Records.

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

Vote all ayes
Motion carried

RESOLUTION #45-17 – DISCHARGE OF MORTGAGE

A motion was made by Mr. Smith, seconded by Mr. Carberry, to adopt Resolution #45-17 as submitted:

**RESOLUTION # 45-17
A RESOLUTION CONCERNING DISCHARGE OF
AFFORDABLE HOUSING MORTGAGE**

WHEREAS former Town of Clinton resident, Owen M. Jackson, purchased a home at 15 Rolling Hill Road, Clinton, New Jersey, on February 8, 1999; and

WHEREAS this home was designated as an Affordable Housing unit in the Town of Clinton;
and

WHEREAS pursuant to the State of New Jersey Department of Community Affairs, Division of Housing regulations, the said Owen M. Jackson executed a mortgage to the Town of Clinton Affordable Housing Authority which was recorded in Hunterdon County Clerk's Office, New Jersey, on February 17, 1999, in Mortgage Book 1320 on page 757, and by Corrective Deed Dated November 24, 1999, and recorded November 30, 1999 in the said Clerk's Office; and

WHEREAS, Owen M. Jackson died intestate, a resident of Hunterdon County on January 19, 2016, and Letters of Administration were issued to Louis Miller by the Hunterdon County Surrogate; and

WHEREAS on January 19, 2017, the Estate of Owen M. Jackson sold the said real property to Lili H. Hidalgo-Naranjo, who has executed a mortgage to the Affordable Housing Authority;

NOW THEREFORE BE IT RESOLVED that the Mayor has the authority to execute a Discharge of the Mortgage given by Owen M. Jackson to the Town of Clinton Affordable Housing Authority.

Vote all ayes
Motion carried

RESOLUTION #46-17 – CANCELLATION OF LIEN

A motion was made by Mr. Carberry, seconded by Ms. Sosidka, to adopt Resolution #46-17 as submitted:

RESOLUTION # 46-17

WHEREAS, the Tax Collector of the Town of Clinton has been paid \$13,159.35, the amount necessary to redeem Tax Sale Certificate #2016-2 on Block 6, Lot 12, assessed to Nicholas & Angela Luongo, and purchased by FWDSL & Associates LP.

NOW THEREFORE BE IT RESOLVED, on this 14th day of February 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 \$13,159.35(certificiate) & \$1,800.00 (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 #2016-2 on Block 6, Lot 12, assessed to Nicholas & Angela Luongo, from the Town of Clinton Tax Records.

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

Vote all ayes
Motion carried

RESOLUTION #47-17 – ISSUE CHECK TO THE NJ MOTOR VEHICLES COMMISSION

A motion was made by Mr. Carberry, seconded by Ms. Sosidka, to adopt Resolution #47-17 as submitted:

RESOLUTION #47-17

WHEREAS, the Town of Clinton has the need to register municipal vehicles during the calendar year, and;

WHEREAS, the first Council meeting is held on the second Tuesday of the month when bills are approved for payment and the delay in registering vehicles would impact their use;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Clinton that the Chief Financial Officer be authorized to issue a check payable to the NJ Motor Vehicles Commission for the amount required to register municipal vehicles.

BE IT FURTHER RESOLVED that the Mayor be authorized to sign said check providing that the voucher for said payment be included on the bill list for approval at the next Council Meeting.

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

Vote all ayes
Motion carried

RESOLUTION #48-17 – CANCELLATION OF LIEN

A motion was made by Mr. Carberry, seconded by Ms. Sosidka, to adopt Resolution #48-17 as submitted:

RESOLUTION # 48-17

WHEREAS, the Tax Collector of the Town of Clinton has been paid \$12,186.22, the amount necessary to redeem Tax Sale Certificate #2016-3 on Block 8.04, Lot 6, assessed to Michael Hup & Vandana Parikh, and purchased by FWDSL & Associates LP.

NOW THEREFORE BE IT RESOLVED, on this 14th day of February 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 \$12,186.22 (certificate) & \$100.00 (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 #2016-3 on Block 8.04, Lot 6, assessed to Michael Hup & Vandana Parikh, from the Town of Clinton Tax Records.

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

Vote all ayes
Motion carried

RESOLUTION #49-17 – OVERPAYMENT OF TAXES

A motion was made by Mr. Carberry, seconded by Ms. Sosidka, to adopt Resolution #49-17 as submitted:

RESOLUTION # 49-17

WHEREAS, the Tax Collector of the Town of Clinton has received an overpayment for following block and lot due to Tax Court Judgment,

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 the following account:

<u>BLOCK</u>	<u>LOT</u>	<u>OWNER</u>	<u>AMOUNT</u>
29	3.03 C0019	Kathleen Morriello	\$2,061.01

BE IT FURTHER RESOLVED that the Tax Collector remove the overpayments on the above block and lot for the 4th quarters of 2013 & 2014.

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

Vote all ayes
Motion carried

RESOLUTION #50-17 – OVERPAYMENT OF TAXES

A motion was made by Mr. Carberry, seconded by Mr. Rylak, to adopt Resolution #50-17 as submitted:

RESOLUTION # 50-17

WHEREAS, the Tax Collector of the Town of Clinton has received overpayments for the following block and lots 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, 95 Methodist Hill Road, Suite 100, Rochester, NY, 14623, for the following account:

<u>BLOCK</u>	<u>LOT</u>	<u>OWNER</u>	<u>AMOUNT</u>
22	5.02	Claude, Robert	\$1,761.28
31	7 C0115	Jackson, Owen	\$ 787.18
31	7 C1202	Snyder, Jeffrey	\$2,262.14

BE IT FURTHER RESOLVED that the Tax Collector remove the overpayments on the above block and lots for the 1st quarter 2017.

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

Vote all ayes
Motion carried

RESOLUTION #51-17 – ELECTRICAL SUPPLY SERVICES

A motion was made by Mr. Rylak, seconded by Mr. Carberry, to adopt Resolution #51-17 authorizing the Public Works/Business Administrator to execute on behalf of the Town of Clinton an electric contract which will reflect substantial savings to the Town.

RESOLUTION 51-17

A RESOLUTION OF TOWN OF CLINTON AUTHORIZING THE PURCHASE OF ELECTRICAL SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, the Town of Clinton has determined to move forward with the EMEX Reverse Auction in order procure electric services for the Town of Clinton; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) (the “Act”) authorizes the purchase of electric service for public use through the use of an online auction service; and

WHEREAS, the Town of Clinton will utilize the online auction services of EMEX, LLC, an approved vendor pursuant to the Act, waiver number EMEX LLC-1, located at www.energymarketexchange.com; and

WHEREAS, EMEX, LLC is compensated for all services rendered through the participating supplier that a contract is awarded to; and

WHEREAS, the auction will be conducted pursuant to the Act.

NOW BE IT RESOLVED, that the Mayor of the Town of Clinton hereby authorize the Public Work’s Business Administrator to execute on behalf of the Town of Clinton an electric contract proffered by the participating supplier that submits the winning twenty-four (24) month bid in the EMEX Reverse Auction.

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

Vote all ayes
Motion carried

RESOLUTION #52-17 – SUSTAINABLE JERSEY GRANT

A motion was made by Mr. Rylak, seconded by Ms. Sosidka, to adopt Resolution #52-17 supporting the submission of the grant application to Sustainable Jersey by the members of the Green Team and the Clinton Conservancy.

RESOLUTION # 52-17

Resolution of Support from Local Governing Body Authorizing the Sustainable Jersey Grant Application

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Town of Clinton strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Town of Clinton is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program;

THEREFORE, the Mayor and Council of the Town of Clinton has determined that the Town of Clinton should apply for the aforementioned Grant.

THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Clinton, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant.

Vote all ayes
Motion carried

SPECIAL EVENT APPLICATIONS

An application submitted by the Clinton Sunrise Rotary to hold the event on Saturday, April 29, 2017 from 8:00 a.m. to noon. A motion was made by Ms. Sosidka, seconded by Ms. Dineen, to approve the request.

Vote all ayes
Motion carried

Clinton Sunrise Rotary is sponsoring the Sprintin' Clinton 5K, July 15, 2017 from 7:30 a.m. to approximately 10:30 a.m. All details discussed with Chief Matheis and will be held as in years past. A motion was made by Ms. Dineen, seconded by Mr. Rylak, to approve the event as requested.

Vote all ayes
Motion carried

A third request from the Clinton Sunrise Rotary is to hold the Great Hunterdon Rubber Duck Race on Sunday, July 16, 2017 from 11:00 a.m. to 3:30 p.m. Motion made by Mr. Smith, seconded by Ms. Sosidka, to approve the request as in previous years.

Vote all ayes
Motion carried

The Hunterdon Art Museum is requesting a street closure to hold their RED Art Party Gala on Saturday, April 29, 2017 from 6:00 p.m. to 10:00 p.m. Chief Matheis reviewed the application and commented that the museum must hire one off duty police officer available to guard the barricades. The Art Museum felt they did not need an officer and would have volunteers guarding. Mr. Pendergast asked that the application be carried to the next meeting and the museum be made aware of the Chief's recommendation.

BANNER REQUESTS

Hunterdon Art Museum is requesting a banner to display "Art on Tap" from May 22 through May 29, 2017. Motion made by Mr. Carberry, seconded by Ms. Dineen, to approve the request.

Vote all ayes
Motion carried

Hunterdon Art Museum requesting banner display from April 3-10 and again April 17-24 for the RED: The Art Party. Motion made by Ms. Dineen, seconded by Mr. Rylak, to approve the request.

Vote all ayes
Motion carried

The Red Mill Museum Village is requesting a banner to be displayed July 30 through August 7 for the Kid's Day event to be held August 6, 2017. Motion made by Ms. Dineen, seconded by Ms. Sosidka, to approve the request.

Vote all ayes
Motion carried

The Hunterdon County Library is sponsoring a New Jersey Makers Day event on Saturday, March 25, 2017. The library is requesting a banner be displayed March 11 through March 27, 2017. A motion was made by Ms. Sosidka, seconded by Ms. Dineen, to approve the request.

Vote all ayes
Motion carried

The Friendly Sons of St. Patrick of Hunterdon County are holding the third annual St. Patrick Day Parade on Sunday, March 12, 2017. A request to display the banner from February 27 through March 13, 2017. A motion was made by Mr. Smith, seconded by Mr. Pendergast to approve the request.

Vote all ayes
Motion carried

CORRESPONDENCE

1. Comcast has submitted a check in the amount of \$3,479.55 to the Town of Clinton for the use of municipal rights-of-way by Comcast of Central New Jersey II, LLC during the calendar year 2016.

REPORTS FROM COUNCIL

Councilman Smith

1. Rescue Squad – reported 264 calls for January, down 44 calls from 2016.
2. Buildings and Grounds – Committee has been discussing replacing fencing along the river on West Main Street, near the Clinton House. The fencing similar to the one installed at the Community Center is an option being considered.
3. Roads – Engineer continues working on the layout in front of the Clinton House.

Councilwoman Dineen

1. Shade Tree Commission met and unanimously named Deena Roberts as the new Shade Tree chairperson. The Commission will be working on the master tree plan which must be completed every five years.
4. Clinton Guild – The kiosk has been erected near the Water Street parking lot by Eagle Scout, James Izlar. It appears the cork that was installed is not holding up to the weather and will be replaced. The Guild continues working on the map that will be displayed inside the kiosk.

Mayor Kovach and Ms. Dineen met with members of the downtown merchant community. It was a productive meeting including the new members of the Clinton Guild as well as Bill Healy as the new president. Mayor Kovach and Ms. Dineen desire to start an Economic Development AD HOC committee under the Smart Growth Commission to present a marketing push. The Hunterdon County Chamber of Commerce is interested in assisting as well as many other parties.

Councilman Pendergast

1. Clinton Fire Department has received two new member applications. Kasey R. Stephens of Marudy Drive and Coyne Hayden of Brunswick Avenue, Lebanon. A motion was made by Mr. Pendergast, seconded by Ms. Sosidka, to approve the members to join the Clinton Fire Department.

Vote all ayes
Motion carried

Mr. Pendergast proceeded to ask Council what they wish to do about the CFD/CFARS Parade on May 20, 2017. Is Council still interested in a float and if so they would have to build something on a trailer. Three trophies will be given out by the Mayor, Mr. Smith, Rescue Squad Liaison and Mr. Pendergast Fire Commissioner.

The Fire Department responded to 26 alarms in January.
Grill Nights will begin in June, not in May because of the Parade.
Yuletide Bonfire was a huge success, more than 1,000 trees fueled the fire! Ms. Sosidka thanked the Fire and Rescue for their assistance at the bonfire.

Councilman Carberry

1. The Environmental Commission did not meet this month but suggests that the Green Team meet on their own as they have business to tend to.
2. There will be a fundraiser held by the Clinton Town Police Department on March 4, 2017 at Cryans Tavern, 1:00 to 6:00 pm. and tickets are \$50.00. Chief Matheis said he was aware of this in support of the Fraternal Order of Police. Proceeds will help fund the Police Bike Unity Tour, a bicycle tour to the Police Memorial in Washington, DC.

STANDBY AND OVERTIME

A motion was made by Mr. Pendergast seconded by Mr. Rylak to approve the standby and overtime submitted for the period of January 13 through January 26, 2017 attached to these minutes.

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

Vote all ayes
Motion carried

A motion was made by Mr. Carberry seconded by Ms. Dineen, to approve the standby and overtime submitted for the period of January 27 through February 9, 2017 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

RESOLUTION # 53-17 - EXECUTIVE SESSION – PENDING LITIGATION

A motion was made by Ms. Sosidka seconded by Ms. Dineen to enter into executive session for purposes of pending litigation.

Vote all ayes
Motion carried

RESOLUTION # 53-17

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 purchase, 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: _____ 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 Egu

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.

ADJOURNMENT: Following Council's return to the regular meeting and there being no further business, a motion was made by Mr. Carberry, seconded by Ms. Dineen to adjourn the meeting at 9:10 p.m.

Cecilia Covino, RMC/CMC, Municipal Clerk

Janice Kovach, Mayor