

4861

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

Flag Salute.

Roll Call: Present – Dineen, Johnson, Karsh, 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 COUNCIL MINUTES

A motion was made by Ms. Karsh seconded by Ms. Johnson to approve the Council minutes of May 8, 2018 as submitted.

Vote all ayes
1 Abstention (Sosidka)
Motion carried

APPROVAL OF EXECUTIVE SESSION MINUTES

A motion was made by Mr. Smith seconded by Mr. Rylak to approve the amended executive session minutes of April 24, 2018 as submitted.

Vote all ayes
1 Abstention (Sosidka)
Motion carried

APPROVAL OF EXECUTIVE SESSION MINUTES

A motion was made by Ms. Johnson seconded by Ms. Karsh to approve the executive session minutes of May 8, 2018 as submitted.

Vote all ayes
1 Abstention (Sosidka)
Motion carried

APPROVAL OF MONTHLY REPORTS – APRIL

A motion was made by Ms. Dineen, seconded by Ms. Sosidka to approve the Animal Licensing Report for the month of April as submitted.

Vote all ayes
Motion carried

PUBLIC COMMENTS - NONE

MAYOR’S COMMENT

1. Clinton Public School appeared on NJTV Classroom Close Up where Math & Enrichment teacher, Amy Brenner, brought the program to the school and was awarded a grant through the program. Mighty Fingers is a program that empowers girls around the world through art.

4862

2. Mayor Kovach announced that she would like to reschedule the meeting of June 12 from regular 7:30 p.m. to 8:00 a.m. in order to pay bills.
3. Three citizen involvement applications have been received and recommended for appointment to the Economic Development Committee.

Tara Stone – 20 R Leigh Street
Elizabeth Halpin – 7 Mitchell Lane
Caryn Tomljanovich – 6 Fairview Avenue

A motion was made Ms. Karsh, seconded by Ms. Dineen, to appoint as recommended.

Vote all ayes
Motion carried

4. Mayor Kovach reported on a Marijuana Summit: Impact on Business and the Community. “The Real Cost of Cannabis”. The keynote speaker was Dr. Kevin Sabet, President of Smart approaches to Marijuana, a science-based policy organization. Mayor Kovach was so impressed with the presentation held at Copper Hill Country Club on May 17, 2018, that a request was made to forward the presentation to the clerk for dissemination to all Council members.

PROCLAMATION – JOHN BOHNEL

Long-time resident, John Bohnel, is picking up and relocating to Mexico! John has been a good friend and the Town’s unofficial personal photographer for years. Mayor Kovach called John to the forefront, read a proclamation and presented him with a Key to the City! Many of John’s friends attended the meeting and Craig Reuter shared a funny story and even proved it with, but what else, a PHOTO! Great night!

COMMERCIAL UTILITY CONSULTANTS

Lisa Hibbs, addressed Council and residents about the Government Energy Aggregation program that the Town of Clinton has become a member of along with Bethlehem Township and Califon Borough in Hunterdon County. Ms. Hibbs has been working with the municipalities for several months and has now scheduled the auction for the Hunterdon Area Energy Cooperative for June 26, 2018 between 10:00 a.m. and 11:00 a.m. Califon is acting as the lead agency and Mayor and Clerk will be part of the live auction, and there will be a log in made available to Clinton Council if they wish to watch as well. Ms. Hibbs explained the other steps that need to be followed and will be in touch with the clerk to continue the process. An outreach to the community will be forth coming.

SPECIAL EVENT APPLICATION – MAIN STREET HALF MARATHON

A special event application has been received from Nick Ricco, organizer of the Main Street Half Marathon to be held October 7, 2018. This will be the second year for the event and last year’s interest far exceeded the interest expected. Mr. Ricco discussed the event with Police Chief Matheis regarding street closures and police coverage. A motion was made by Mr. Rylak, seconded by Ms. Dineen, to approve the event with the recommendations of Chief Matheis.

Vote all ayes
Motion carried

4863

RESOLUTION #83-18 – LIQUOR LICENSE SHOPRITE LIQUORS

A motion was made by Ms. Dineen, seconded by Mr. Smith, to adopt Resolution #83-18 as submitted:

RESOLUTION # 83-18

WHEREAS, the Town of Clinton Governing Body is in receipt of an Application for the renewal of **PLENARY RETAIL DISTRIBUTION LICENSE #1005-44-001-003** for;

**QUICK CHEK FOOD STORES/SHOPRITE LIQUORS
41, 41 ½ & 43 OLD HIGHWAY ROUTE 22
CLINTON, NEW JERSEY 08809**

WHEREAS, the submitted application form is complete in all respects, fees have been paid and clearance has been received from the New Jersey Department of the Treasury;

NOW THEREFORE BE IT RESOLVED, that the Town of Clinton Governing Body does hereby approve, effective July 1, 2018, renewal of the above captioned license for the 2018-2019 year and that a copy of this Resolution be forwarded to the Division of Alcoholic Beverage Control.

Vote all ayes
Motion carried

RESOLUTION #84-18 – OVERPAYMENT OF TAXES

A motion was made by Mr. Smith, seconded by Ms. Sosidka, to adopt Resolution #84-18 as submitted:

RESOLUTION # 84-18

WHEREAS, the Tax Collector of the Town of Clinton has received overpayment for following block and lot due to Homestead Rebate Credit,

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>
1	30.01	Fliegel, Jean	\$ 384.02

BE IT FURTHER RESOLVED that the Tax Collector remove the overpayment on the above block and lot for the 2nd quarter 2018.

ROLL CALL: Ayes: Dineen, Johnson, Karsh, Rylak, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #85-18 – WATER RESERVATION

A motion was made by Mr. Smith, seconded by Mr. Rylak, to adopt Resolution #85-18 as submitted:

RESOLUTION # 85-18

RESOLUTION APPROVING WATER CAPACITY RESERVATION APPLICATION # L18-02

4864

WHEREAS, on March 24, 2015, the Mayor and Council of the Town of Clinton adopted Ordinance 15-1, which amended Chapter 142 of the General Ordinances of the Town of Clinton by creating procedures for applying for and receiving approval for water reservations; and

WHEREAS, the Town has received Water Reservation Application # L18-02, dated February 9, 2018, submitted in the name of Clinton Township – Marookian Tract (Township of Clinton Block 82, Lot 4.03, Tax Map Page 14, located at 1355 Route 31 South); and

WHEREAS, on March 26, 2018, the Town’s Water Consulting Engineer, Suburban Consulting Engineers, informed the Town of Clinton Water Committee of their recommendation of approval of the aforementioned application which proposes development of eighty-four (84) 100% affordable housing residential units and community building; and

WHEREAS, on May 18, 2018, the Town’s Water Committee held their monthly meeting in which they have reviewed and approved said application and deemed it complete, to which they have granted final approval.

NOW, THEREFORE BE IT RESOLVED, that in accordance with Chapter 142, Section 1, Sub-section J(3) of the Town’s Ordinances, the Mayor and Council hereby approves Water Reservation Application # L18-02 in the amount of 16,073 GPD.

BE IT FURTHER RESOLVED that certified copies of this resolution be provided to the Applicant, Suburban Consulting Engineers, and the Town of Clinton Superintendent of Water.

ROLL CALL: Ayes: Dineen, Johnson, Karsh, Rylak, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #86-18 – HIRING OF NEIL RUGGERIO

A motion was made by Ms. Sosidka, seconded by Ms. Johnson, to adopt Resolution #86-18 as submitted:

RESOLUTION #86-18

WHEREAS, the Town of Clinton requires the hiring of a Building Sub-Code Official and Fire Inspector, and;

WHEREAS, the Construction Official has recommend that Neil Ruggerio be appointed to both the position of Building Sub-Code Official at a rate of \$4,594.68 annually and the position of Fire Inspector at a rate of \$1,148.68 annually;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Clinton hire Neil Ruggerio to fill the open positions of Building Sub-Code Official and Fire Inspector effective June 1, 2018.

ROLL CALL: Ayes: Dineen, Johnson, Karsh, Rylak, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

4865

INTRODUCTION OF ORDINANCE #18-04 – GENERAL CAPITAL

A motion was made by Ms. Dineen, seconded by Ms. Karsh to introduce Ordinance #18-04 on first reading:

**CAPITAL ORDINANCE NO. 18-04
CAPITAL ORDINANCE OF THE TOWN OF CLINTON, IN THE COUNTY OF
HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE MAKING OF
IMPROVEMENTS IN, BY AND FOR THE TOWN OF CLINTON AND
APPROPRIATING THEREFOR THE SUM OF \$40,000.00 FROM THE CAPITAL
IMPROVEMENT FUND**

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

Section 1. The Town of Clinton in the County of Hunterdon, State of New Jersey, is hereby authorized to make the following improvements, by and for the Town, including all work, materials and appurtenances necessary and suitable therefore:

<u>PURPOSE</u>	<u>ESTIMATED COST</u>
Computer Server for Police Department	\$15,000.00
Computer Software Program – Taxes/Finance	25,000.00
TOTAL	\$40,000.00

Section 2. The aggregate sum of \$40,000.00 is hereby appropriated from the Capital Improvement Fund of the Town of Clinton to the payment of the cost of the improvements as described in Section 1 hereof.

Section 3. Said improvements are lawful capital improvements to the Town of Clinton having a period of usefulness of at least five (5) years. Said improvements shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefited.

Section 4. The capital budget of the Town of Clinton is hereby amended to conform with provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 5. This capital ordinance shall take effect after final passage and publication as required by law.

Vote all ayes
Motion carried

A copy of this ordinance will be published in the May 30, 2018 edition of the Hunterdon Review. A public hearing will be held June 26, 2018.

INTRODUCTION OF ORDINANCE #18-05 – WATER CAPITAL

A motion was made by Mr. Smith, seconded by Mr. Rylak, to introduce Ordinance #18-05 of first reading:

**CAPITAL ORDINANCE NO. 18-05
CAPITAL ORDINANCE OF THE TOWN OF CLINTON WATER UTILITY, IN THE
COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE
MAKING OF IMPROVEMENTS IN, BY AND FOR THE TOWN OF CLINTON WATER
UTILITY AND APPROPRIATING THEREFOR THE SUM OF \$135,000.00 FROM THE
CAPITAL WATER SURPLUS FOR WATER UTILITY IMPROVEMENTS**

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

Section 1. The Town of Clinton in the County of Hunterdon, State of New Jersey, is hereby authorized to make the following improvements to the Water Utility in, by and for the Town, including all work, materials and appurtenances necessary and suitable therefore:

<u>PURPOSE</u>	<u>ESTIMATED COST</u>
Chlorinators	\$ 30,000.00
Well Source Meters	20,000.00
Sample Stations	2,500.00
Mason Dump Truck	70,000.00
Computer Software	10,000.00
Miscellaneous Expenses	2,500.00
TOTAL	\$135,000.00

Section 2. The aggregate sum of \$135,000.00 is hereby appropriated from the Water Utility Capital Surplus for Water Utility Improvements within the Capital Improvement Fund of the Town of Clinton Water Utility to the payment of the cost of the improvements as described in Section 1 hereof.

Section 3. Said improvements are lawful capital improvements of the Water Utility having a period of usefulness of at least five (5) years. Said improvements shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefited.

Section 4. The capital budget of the Town of Clinton Water Utility is hereby amended to conform with provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

4867

Section 5. This capital ordinance shall take effect after final passage and publication as required by law.

Vote all ayes
Motion carried

A copy of this Ordinance will be published in the May 30, 2018 edition of the Hunterdon Review. A public hearing will be held June 26, 2018.

INTRODUCTION OF ORDINANCE #18-06 – SEWER UTILITY

A motion was made by Mr. Smith, seconded by Mr. Rylak to introduce Ordinance #18-06 as submitted:

CAPITAL ORDINANCE NO.18-06

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 SUM OF \$125,000.00 FROM THE SEWER CAPITAL SURPLUS FOR SEWER UTILITY IMPROVEMENTS

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

Section 1. The Town of Clinton in the County of Hunterdon, State of New Jersey, is hereby authorized to make the following improvements to the Sewer Utility in, by and for the Town, including all work, materials and appurtenances necessary and suitable therefore:

<u>PURPOSE</u>	<u>ESTIMATED COST</u>
Grit Removal & Disposal (Aeration System)	\$10,000.00
Incubator for Lab	7,500.00
Replace Centrifugal Blowers	25,000.00
Men's Room Rehab	5,000.00
Replace Floor Tile (Control Building)	15,000.00
Effluent Pump Control Panel & VFD's	50,000.00
Computer Software	10,000.00
Miscellaneous Expenses	2,500.00
TOTAL	\$125,000.00

Section 2. The aggregate sum of \$125,000.00 is hereby appropriated from the Sewer Utility Capital Surplus for Sewer Utility Improvements within the Capital Improvement Fund of the Town of Clinton Sewer Utility to the payment of the cost of the improvements as described in Section 1 hereof.

Section 3. Said improvements are lawful capital improvements of the Sewer Utility having a period of usefulness of at least five (5) years. Said improvements shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefited.

Section 4. The capital budget of the Town of Clinton Sewer Utility is hereby amended to conform with provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 5. This capital ordinance shall take effect after final passage and publication as required by law.

Vote all ayes
Motion carried

A copy of this Ordinance will be published in the May 30, 2018 edition of the Hunterdon Review. A public hearing will be held June 26, 2018.

SUMMER RECREATION STAFFING

A motion was made by Ms. Sosidka, seconded by Mr. Rylak, to approve the summer recreation staffing and pay as recommended by the Board of Recreation:

Director	Tiffany Cinquemani	\$5,413.00
Arts & Crafts	Barbara Plundeke	\$2,744.00
Adult Counselors	Debbie Herold	\$2,244.00
	Brian Smith	\$1,900.00
Adult Substitute		\$ 100.00 per day
Teen Counselors	Shea Cinquemani	\$8.72/hr. 4 weeks
	Alyssa Latargia	\$8.60/hr. 4 weeks
	Jake Miller	\$8.60/hr. 4 weeks

ROLL CALL: Ayes: Dineen, Johnson, Karsh, Rylak, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

4869

CORRESPONDENCE

1. Suzanne Lagay, Freeholders Deputy Director, personally inviting the Town of Clinton to participate in Community Day sponsored by the Hunterdon County Chamber of Commerce, Saturday, June 2, 2018 at the South County Park.

REPORTS FROM COUNCIL

Richard Phelan, Business Administrator

1. Notification received from Hunterdon County Division of Recycling that they are working on a date for the annual Hazardous Waste day, possibly mid-July. Once the date is decided, an email blast will go out to residents.

Councilman Smith

1. Sewer Committee – Plans and specs are prepared for the filter press building and should be going out for bid within the next two months.
2. Water Committee – a new supply pipe for Well #15 was installed through the well into the aquifer.
3. First Aid & Rescue Squad – purchased and received their new \$850,000 rig. Mr. Smith suggested Council plan a visit to the squad building to check it out. If all council members can attend on one day, we will advertise that a quorum may be in attendance. The Squad made the purchase solely on their own.

Councilwoman Sosidka

1. Environmental Commission applied and was awarded a \$1,500 ANJEC grant and together with the conservancy will plant additional plants in the butterfly garden in DeMott Pond.
2. The Board of Recreation Commission completed their annual review of the Community Center and concluded that the building's interior needs painting, and possibly new LED lights. Sue Ocello, who cleans the building, suggested the wood floors be re-waxed. A re-vamp of the playground was also discussed with the addition of a few new items. Some of the equipment is very dated and the committee discussed fund raising for applying for grants for new items. Mr. Rylak did state that a request had been made to save the dinosaur.
3. Town Picnic is June 9 with a rain date of June 16, 2018 beginning at 2:00 p.m.
4. Clinton Conservancy received a \$100 donation from AT&T. The Conservancy is also seeing more volunteers.
5. Historic Commission reported they have a vacancy and asked to advertise on the website.

Councilman Rylak

1. Clinton Fire Department is hosted the first Grill Night of the season!

Councilwoman Karsh

1. Clinton Guild is having their meeting tomorrow morning, May 23, 2018.

2. Economic Development Commission will be hosting a meet and greet on June 7, 2018 7:00 to 9:00 p.m. They are working on a mission statement and ways to market the Town.

Councilwoman Johnson

1. Clinton Public School is also meeting this evening and Dr. Cohen will provide updates to Ms. Johnson for reporting to Council purposes.
2. Shade Tree will be meeting Thursday, May 24.
3. Exit 15 traffic signals remain a problem due to the timing causing big backups onto Route 78 and West Main Street. NJDOT needs to visit Clinton and witness the problem. A phone number to contact DOT is 609-292-6000.

STANDBY AND OVERTIME

A motion was made by Ms. Dineen seconded by Ms. Sosidka, to approve the standby and overtime submitted for the period of May 4 through May 17, 2018 attached to these minutes.

ROLL CALL: Ayes: Dineen, Johnson, Karsh, Rylak, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

PAYMENT OF BILLS

A motion was made by Mr. Smith seconded by Ms. Dineen to approve the bill list attached to these minutes as submitted.

ROLL CALL: Ayes: Dineen, Johnson, Karsh, Rylak, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION # 87-18 – EXECUTIVE SESSION

A motion was made by Ms. Dineen seconded by Ms. Karsh, to enter into Executive Session to discuss a matter of litigation at 8:18 p.m.

RESOLUTION # 87-18

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

4871

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 purpose, 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: Land Acquisition 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 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.

Vote all ayes
Motion carried

ADJOURNMENT: Upon returning from Executive Session, a motion was made by Ms. Karsh seconded by Ms. Johnson to adjourn the meeting at 8:54 p.m.

Cecilia Covino, RMC/CMC, Municipal Clerk

Mayor Janice Kovach