

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

Flag Salute.

Roll Call: Present – Dineen, Humphrey, Intrabartola, Johnson, Karsh, Smith, 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. Smith, seconded by Ms. Dineen, to approve the council meeting minutes of January 22, 2019 as submitted.

Vote all ayes  
Motion carried

**APPROVAL OF EXECUTIVE MINUTES**

A motion was made by Ms. Johnson, seconded by Ms. Karsh, to approve the executive session minutes of January 22, 2019 as submitted.

Vote all ayes  
Motion carried

**APPROVAL OF MONTHLY REPORTS – JANUARY 2019**

A motion was made by Ms. Karsh, seconded by Ms. Johnson, to accept the Monthly Reports for the month of January as submitted: Administrator’s Report, Clerk’s Account, Cat and Dog Licensing Accounts, Construction Control/Inspection Report, Police Report, Sewer Collector’s Report, Tax Collector’s Report, Water Collector’s Report, and Zoning Officer’s Report / Code Enforcement.

Vote all ayes  
Motion carried

**PUBLIC COMMENT**

No comments.

**MAYOR’S COMMENTS**

1. Mayor Kovach said she received an e-mail from Wesley Hockin, a member of the Clinton Fire Department and Clinton First Aid and Rescue Squad. Mr. Hockin stated they are creating a team similar to last year for the Relay for Life to be called “Clinton Fire/EMS. They are dedicating this year’s race to Eugene De Cleene, a long-time Clinton resident, who passed away last year. Mr. Hockin is asking Mayor

and Council if they can go around to the merchants on Main Street for a \$5.00 donation and then they will put a purple ribbon around the tree outside their business.

A motion was made by Ms. Intrabartola, seconded by Ms. Johnson to allow purple bows placed around the trees on Main Street.

Vote all ayes  
Motion carried

**DISCUSSION - NJDEP – DIVISION OF FISH, GAME, AND WILDLIFE, “BEAR SAFETY”**

Due to inclement weather and the state being closed, the discussion was cancelled. Richard Phelan, Business Administrator, spoke to the representatives and they will call to reschedule. Most likely it will be scheduled for the next council meeting.

**RESOLUTION #46-19 – OPPOSITION TO NEW BEEKEEPING REGULATIONS**

A motion was made by Ms. Dineen, seconded by Ms. Karsh to adopt Resolution #46-19 as submitted:

**RESOLUTION # 46-19**

**WHEREAS**, the New Jersey Department of Agriculture has published new beekeeping regulations in the New Jersey Register on December 3, 2018; and,

**WHEREAS**, these new regulations include a section that states, it shall be unlawful for a beekeeper to keep any hive or hives in such a manner or of such disposition to pose a threat to: 1. Public health and safety; or 2. Bee Health, as determined, by the State Apiarist or his or her designee; and,

**WHEREAS**, these new regulations also include a section on Location of Hives, which requires that when a colony is located less than 20 feet from any property line, a beekeeper shall establish a flyway barrier at least six feet in height consisting of a solid wall, fence, dense vegetation, or combination thereof that is parallel to the property line and maintain it to extend 10 feet beyond the colony in each direction; and,

**WHEREAS**, these new regulations also include a section on Waiver Process that is unduly burdensome and should simply utilize New Jersey Municipal Land Use Law 40:55D-12; and,

**WHEREAS**, the Town of Clinton believes that bees, and Clinton residents who are beekeepers, are beneficial to Clinton and that those residents in Clinton who are currently beekeepers as hobbyists should be able to continue to have bee hives.

**NOW THEREFORE BE IT RESOLVED** by the Town of Clinton, County of Hunterdon, State of New Jersey that the Mayor and Town Council wishes to go on record with the New Jersey Department of Agriculture that the Town of Clinton is opposed to the new beekeeping regulations which would have a detrimental impact on beekeeping in Clinton as well as throughout New Jersey and urges the New Jersey State League of Municipalities to work with the New Jersey Beekeepers Association towards creating legislation with straightforward regulations based on fact, science and best management practices which will protect both beekeepers and non-beekeepers within the State of New Jersey.

**BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the New Jersey Department of Agriculture; New Jersey State: League of Municipalities, the New Jersey Beekeepers Association; and all Hunterdon County Municipalities urging them to oppose the adoption of the new beekeeping regulations as proposed by the New Jersey Department of Agriculture.

Vote all ayes  
Motion carried

**RESOLUTION #47-19 – AUTHORIZING THE PURCHASE OF ELECTRICAL SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE**

A motion was made by Mr. Smith, seconded by Ms. Johnson to adopt Resolution #47-19 as submitted:

**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](http://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(s) that submits the winning twenty-four (24) month bid in the EMEX Reverse Auction.

Vote all ayes  
Motion carried

**BANNER REQUESTS – RED MILL MUSEUM – 5 EVENTS (SEE BELOW)**

Banner Dates	April 1 – 7	Military Heritage Day	Event Date April 7
Banner Dates	May 6 – 13	Retro Ride	Event Date May 18
Banner Dates	May 13 - 20	British Car Day	Event Date June 1
Banner Dates	July 29 – Aug. 5	Kid’s Day	Event Date August 4
Banner Dates	October 7 – 28	Haunted Village	Event Dates: October 11, 12, 18,19,25,26

Several banner requests have been received from Red Mill Museum for the events above.

A motion was made by Ms. Dineen, seconded by Ms. Karsh to approve the banner requests.

Vote all ayes  
Motion carried

**BANNER REQUESTS – NORTH HUNTERDON HIGH SCHOOL & SONS OF ST. PATRICK**

North Hunterdon High School – “Catch Me if You Can” March 1, 2, 3 Banner Dates 02/18 – 03/04  
Sons of St. Patrick – St. Patrick’s Day Parade – March 10, 2019 Banner Dates 02/11-02/18  
and 03/04 – 03/11.

Banner requests have been received from North Hunterdon High School & Sons of St. Patrick for the events above.

A motion was made by Ms. Intrabartola, seconded by Ms. Dineen to approve the banner requests.

Vote all ayes  
Motion carried

**SPECIAL EVENT APPLICATION AND BANNER REQUEST – CLINTON SUNRISE ROTARY**

Clinton Sunrise Rotary – Fishing Derby Event Date April 27 Banner Dates: 04-15 to 04-29  
Ducky Race Event Date July 14 Banner Dates: 07-01 to 07-15

Applications and banner requests have been received from Clinton Sunrise Rotary to hold the above events and to requests banners for the above events.

A motion was made by Mr. Smith, seconded by Ms. Dineen to approve the special event and banner requests.

Vote all ayes  
Motion carried

**CORRESPONDENCE**

1. Mayor Kovach asked council to pick three dates for the up-coming budget meetings. The dates chosen are February 27, 2019 at 5:30pm, March 7, 2019 at 6:30pm, and March 13, 2019 at 6:30pm.

2. Mayor Kovach received a citizen involvement application from Bryan Lubsen, 66 Lakeview Avenue, to join the Land Use Board. Mayor Kovach asked for a motion to appoint Bryan Lubsen to the Land Use Board as an Alternate I member.

A motion was made by Ms. Dineen, seconded by Mr. Humphrey to accept the citizen involvement application from Bryan Lubsen.

Vote all ayes  
Motion carried

**REPORTS FROM COUNCIL & TOWN OFFICIALS**

**Councilwoman Johnson**

1. Councilwoman Johnson reported the Town’s Annual Bonfire was a big success. This year was the largest turnout and the weather was perfect. The Board of Recreation will be meeting next week.

2. Councilwoman Johnson reported the school board meeting was cancelled last month due to weather. The school was closed.

**Councilman Humphrey**

1. Councilman Humphrey received an application from Lee Di Donato to join the Clinton Fire Department. He was previously a member of the Whitehouse Fire Company and has recently moved to our area.

A motion was made by Mr. Smith, seconded by Ms. Dineen to accept Lee Di Donato has a new member to the Clinton Fire Department.

2. Councilman Humphrey reported the Clinton Fire Department had 27 calls for January 2019. In 2018 the Clinton Fire Department had over 2400 hours of training and drills, over 2100 hours of fire department duty activities and active standby, and 218 level 1 calls which involve fire and carbon monoxide alarms and motor vehicle incidents.
3. Councilman Humphrey advised mayor and council that the fire department wants to submit changes to the ordinance regarding mitigation rates. He would like to discuss this at the next council meeting. These are fees that are billed to the insurance companies such as extrications, creating landing zones for level one and level two responses and amounts for fires and chemical responses.
4. The fire department recently purchased a special washer and dryer which washes the chemicals out from the clothing to help reduce the chance of getting cancer. Statistics say that firemen have a much higher chance of cancer and this should help reduce that possibility substantially. They were able to get this washer and dryer by a grant. Other fire departments in our area were able to purchase them as well.

### **Councilman Smith**

1. Councilman Smith reported the Clinton Rescue Squads had 313 calls last month which is 10 over January of last year. The educational training hours will be submitted at the next meeting.
2. Councilman Smith said the water and sewer committees met with the superintendents of both departments that are retiring and their staff. The staff was asked to give transitional recommendations once the exiting superintendents retire. These recommendations will be giving to Mayor and Council once the committees have reviewed them.
3. Roads Committee met. The opening of the West Main Street sidewalk project will be March 7 to the 21<sup>st</sup> and then proceeding forthwith. Councilman Smith would like to introduce the sidewalk ordinance at the second meeting in February. It concerns the ownership and who is responsible for the sidewalks. He asked all to review for the next meeting. Richard Cushing, Town Attorney, has put a lot of time into this ordinance.
4. Councilman Smith informed Mayor and Council he is going to have Richard Cushing look into something that a previous mayor, Allie McGaheran, agreed to in 1997 whereby the sidewalks that are owned by the State will be maintained by the Town. No municipalities should maintain property owned by the State. Councilman Smith is not aware how this came about and will be looking into it to have it changed. The state recently pointed this out to the Town.

### **Councilwoman Karsh**

1. Councilwoman Karsh reported the Clinton Guild had their reorganizational meeting and they are setting up their upcoming year. She will have more information next meeting.
2. Economic Development Committee meets tomorrow. For the last month the committee has been working with the website / newsletter committee to talk about ways to modernize the website to make it friendlier to the consumers. Councilwoman Karsh introduced John Creech, the website sub-committee leader for the Economic Development Committee who has been working hard on this project.
3. Councilwoman Karsh said the Economic Development Committee, is also working on the Mayor's Wellness Campaign and looking to partner with the other committees and commissions. The Committee will be reaching out to other outside municipal committees also to help with some of the programming for this project. This campaign will take place over the entire year.

### **Councilwoman Dineen**

1. Councilwoman Dineen reported that Buildings and Grounds committee met last week to discuss the energy auction that was passed earlier tonight.
2. The Buildings and Grounds committee decided to renew the annual maintenance contract for the clock on Main Street in the amount of \$500. The cost went up a bit but there are no other vendors in the area to choose from.
3. Discussion took place concerning the facility use form at the Buildings and Grounds meeting. More information will be forth coming.

4.. Land Use Board met last Tuesday. They heard and approved a waiver for a site plan at 12 East Main Street. A Tae Kwon Do business went into the space where the book shop previous was and would like to put in a café coming in from the Old Route 22 side.

**Councilwoman Intrabartola**

1. Councilwoman Intrabartola reported the Board of Health held their annual Animal Rabies Clinic on January 26, 2019. There were 261 dogs and 43 cats that were vaccinated.
2. The Board of Health had their annual meeting following the rabies clinic. Beth Sosidka, a former council member, joined the Board of Health committee. Discussion was made to alleviate some of the burden for Cecilia Covino, Town Clerk, who has been handling the responsibility of replacing the doggy baggies in the stations around town. Some members have offered to take on that responsibility. There are three stations around town, one by Hunts Mill Park, another by the Pony Truss Bridge and the last at the community center. The one by the community center is on the fence of the ball field and is the least one used. The Board of Health members believe it may be because it is the only one without a garbage receptacles right next to it. However there are garbage receptacles by the park which is not far from the ball field. Councilwoman Intrabartola was recommending a garbage can be put by it or a possibility of moving the doggy station to another spot by the park. Mayor Kovach said there are three garbage receptacles around the park.

**APPROVAL OF STANDBY AND OVERTIME**

A motion was made by Ms. Dineen, seconded by Ms. Johnson, to approve the standby and overtime pay attached to these minutes for January 11, 2019 through January 24, 2019.

ROLL CALL: Ayes: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Smith, Mayor Kovach

Vote all ayes  
Motion carried

**PAYMENT OF BILLS**

A motion was made by Ms. Intrabartola, seconded by Mr. Humphrey to approve the voucher list as attached to these minutes.

ROLL CALL: Ayes: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Smith, Mayor Kovach

Vote all ayes  
Motion carried

**RESOLUTION # 48-19 - EXECUTIVE SESSION - LITIGATION**

A motion was made by Ms. Dineen, seconded by Mr. Humphrey, to enter into Executive Session at 8:02 p.m. to discuss litigation.

Vote all ayes  
Motion carried

**RESOLUTION # 48-19**

**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 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: \_\_\_\_\_ 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 THEREFORE 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.

A motion was made by Mr. Smith, seconded by Mr. Humphrey to return to the Regular Meeting with no action to be taken at 8:25 p.m.

Vote all ayes  
Motion carried

**ADJOURNMENT:** There being no further business, a motion was made by Ms. Karsh, seconded by Ms. Dineen to adjourn the meeting at 8:25 P.M.

Vote all ayes  
Motion carried

\_\_\_\_\_  
Nancy A. Burgess, Deputy Clerk

\_\_\_\_\_  
Mayor Janice Kovach