

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

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.”

**RESOLUTION #49-19 – EXECUTIVE SESSION**

A motion was made by Mr. Smith, seconded by Mr. Humphrey, to enter into Executive Session at 7:31 p.m. to discuss a matter of litigation.

**RESOLUTION #49-19**

**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: 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

Council returned to the regular meeting at 8:20 p.m.

**APPROVAL OF COUNCIL MINUTES**

A motion was made by Mr. Smith seconded by Ms. Karsh, to approve the minutes of February 12, 2019 as submitted.

Vote all ayes  
Motion carried

**APPROVAL OF EXECUTIVE MINUTES**

A motion was made by Mr. Smith, seconded by Ms. Johnson to approve the executive session minutes of February 12, 2019 as submitted.

Vote all ayes  
Motion carried

**APPROVAL OF MONTHLY REPORTS – JANUARY**

A motion was made by Ms. Dineen, seconded by Mr. Smith, to approve the monthly reports for the Waste Water Treatment Plant for the month of January as submitted.

Vote all ayes  
Motion carried

**PUBLIC COMMENTS – NONE**

**MAYOR’S COMMENTS**

1. Mayor Kovach presented a letter from Congressman Malinowski in support of the FEMA Assistance to Firefighters Grant Program in consideration of the Clinton First Aid and Rescue Squad’s application. Mr. Smith will bring the letters to the squad.
2. Richard Hall, Friendly Sons of St. Patrick, asked for judges at the parade on Sunday, March 10. Mayor Kovach, Councilman Humphrey and Councilwoman Johnson and Karsh agreed to help out!

**NJDEP PRESENTATION – BEAR FACTS AND SAFETY**

An outstanding presentation made by NJDEP senior biologist, Michelle Smith, this evening. Ms. Smith captured the council and the audience for the interesting topic. Many unknown facts were uncovered! Ms. Smith also left brochures, and coloring books.

**CAROLINE CONBOY, TOWN INSURANCE ADVISOR**

Ms. Conboy attended this evening at the request of Council to discuss insurance requirements for special events and vendors during events. As discussed at a recent council meeting, a \$2,000,000 insurance requirement was being requested of the owner of the horse drawn carriage at the annual bonfire. Ms. Conboy suggested a tiered approach and gave recommendations to Council. Events could be reviewed on an individual basis to determine the amount of insurance necessary. Ms. Johnson will prepare a list of events for future discussion. Ms. Johnson also asked if a one-day insurance policy would be an option.

**REFUND OF FOOD LICENSE FEE**

A request was made by Marie Reres to refund the food license fee in the amount of \$225.00. Ms. Reres was prepared to open a restaurant at 10 East Main Street when the landlord chose not to rent to her. A motion was made by Mr. Smith, seconded by Ms. Johnson, to refund the license fee as requested.

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

Vote all ayes

Motion carried

### **BANNER REQUESTS**

A request to display a banner was made by Hunterdon Art Museum to promote the Summer Camp program Scheduled to run June 17 through August 16, 2019. The banner would hang June 24 through July 1. A motion was made by Mr. Humphrey, seconded by Ms. Karsh to approve the request.

Vote all ayes  
Motion carried

A request from the North Hunterdon Education Foundation to display a banner promoting the North Hunterdon High School "Running with the Lions 5K" to be held October 27, 2019. The banner will hang from September 23 to October 7. A motion was made by Mr. Humphrey, seconded by Ms. Karsh to approve the request.

Vote all ayes  
Motion carried

### **PROPOSED ORDINANCE FROM THE CLINTON FIRE DEPARTMENT**

Councilman Humphrey presented council with a proposal from the fire department in regards to the 3<sup>rd</sup> party vendor who seeks recovery for false alarms, hazardous spill incidents and recovery for vehicle fires. Council had several questions of Mr. Humphrey who will take concerns back to the fire department. Council would like to know how did the 3<sup>rd</sup> party came up with the fees? What other Hunterdon municipalities are involved? Reports of how much money was recovered? Mr. Humphrey did say that the false alarm ordinance has been taken off the table at this point. Mr. Humphrey will follow up with the fire department.

### **CORRESPONDENCE**

1. Hunterdon Health Care, Public Officials Forum will be held Friday, May 10, 2019 at the Medical Center. Topics include "Overview of Healthcare System", The Cardio-Oncology Program, "Opioid Issues Impacting Hunterdon County". Anyone interested in attending should contact the clerk to rsvp on their behalf.
2. A letter received from Patrick McGuire, Center Street, regarding recent power outage and First Energy. Mayor Kovach will refer Mr. McGuire's letter to Stan Prater, our municipal liaison to JCP&L.
3. Hunterdon County Freeholders passed a resolution and are asking municipalities to do the same, "Calling for an Amendment to the New Jersey Constitution to Stop the Diversion of 9-1-1 Fees to Non 9-1-1 uses". Council agreed to adopt the resolution at an upcoming meeting.

### **REPORTS FROM COUNCIL**

#### **Kathy Olsen, CFO**

1. Budget meeting tomorrow evening, February 27 @ 5:30 p.m.

#### **Councilwoman Johnson**

1. Board of Recreation – Summer Rec program is scheduled for July 1 – 26, 2019. Participation was down last year, 2018, only 100 children signed up. Councilwoman Intrabartola has initiated Facebook traffic to spread the word and to poll parents as to what they would like to see and need. Responses have parents looking for full time camp or "wrap services" because of both parents

working. The board is looking into community partners and exploring other avenues.

Senior Luncheon, May 5, 2019 at the Clinton Fire Department. Towne Restaurant to cater the event.

Town picnic, June 8 with a rain date of June 15.

The Board of Recreation is also looking at refurbishing the current playground at the Community Center which is creeping up on 30 years old. The Board is reaching out to other municipalities about ways to create funds by fundraising and also looking into County Open Space funds for playground equipment, updates to the community Center, new grass at Hunts Mill Park. The Commission is looking to bring in vendors to prepare specs for the necessary work. Ms. Johnson is asking for a vote of council to move forward with seeking grants for improvements. A motion was made by Ms. Dineen, seconded by Ms. Intrabartola supporting the Board of Recreation to move forward.

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

Vote all ayes  
Motion carried

Lastly, Board of Recreation is working on bringing in different activities to have Commission sponsor for the Mayor's Wellness Campaign and to get the community more involved.

### **Councilman Humphrey**

1. Environmental Commission – Raritan Headwater announces the 2019 Stream Cleanup on Saturday, April 13, volunteers needed. The Commission is creating a list of projects that they can partner with Raritan Headwaters and College of New Jersey programs in the future.

The budget for ANJEC was approved and membership payment of \$350 was sent in.

Resident of Leigh Street, Ken Fischer, attended the meeting and shared information on I-78 noise, hazardous material runoff and overpass safety that have arisen since the I-78 repayment in January, 2018. John Madden, environmental chairperson, will meet with Mr. Fischer to collect more information on the issues and should reach out to Water authorities and ANJEC for advice.

2. Communications Committee (formerly Newsletter Committee) met several times in an effort to restructure and redesign a website that creates more value for our stakeholders: residents, businesses/economic development and tourists. The committee also wishes to partner with the Economic Development Committee to explore their needs for the design and content of the website. The possibility of an Economic Development grant from the County was discussed.

Newsletter – reached out to several towns who contract with services that advertise to compensate for printing and mailing costs. Discussed reducing number of newsletter per year. A survey is being mailed out to determine the resident's preference to receive e-newsletters version moving forward, and to capture email and mobile phone numbers for future communications by the town.

### **Councilwoman Karsh**

1. Economic Development Commission is pursuing a grant through the county economic division for use of website upgrades. There is also a grant opportunity through the Highlands Council that is being explored. The Recreation Commission and the Economic Development Commission is looking to join forces for obtaining grants for improvements for the website and playground at Community Center.

Ross Traphagen has joined the Economic Development Division with Hunterdon County. He is the new data and drone operator designing and developing marketing strategies to attract new business to town. The next EDC meeting has been moved to March 20 at 7:30 p.m.

Tracy Henry from the Clinton Presbyterian Church has organized a pop up food drive to help the food pantry that is currently closed due to broken water pipes. The drive is Saturday, March 2 from 9 – 11 a.m.

**Councilwoman Dineen**

1. Shade Tree Meeting Thursday, February 28 at 8:00 p.m.
2. Land Use Board cancelled meeting for March, next meeting April 2, 2019 @ 7:00 p.m.

**Councilwoman Intrabartola**

1. Historic Commission cancelled their last meeting due to inclement weather.
2. Communications report given earlier this evening in conjunction with Councilman Humphrey.

**TERM SHEET AMENDMENT**

As a follow up of the executive session earlier this evening, Mayor Kovach explained that another amendment has been made to the Binding Term Sheet settlement between High Bridge and the Town of Clinton and not including Clinton Township Sewerage Authority at this time. Mayor Kovach asked for a motion to allow the Mayor to sign this amendment. A motion was made by Ms. Johnson, seconded by Mr. Humphrey, authorizing the Mayor and Clerk to sign the Binding Term Sheet.

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

Vote all ayes  
Motion carried

**STANDBY AND OVERTIME**

A motion was made by Mr. Humphrey, seconded by Ms. Johnson, to approve the standby and overtime submitted for the period of January 25, 2019 through February 27, 2019 attached to these minutes.

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

Vote all ayes  
Motion carried

**STANDBY AND OVERTIME**

A motion was made by Mr. Smith, seconded by Ms. Johnson, to approve the standby and overtime submitted for the period of February 8, 2019 through February 21, 2019 attached to these minutes.

ROLL CALL: Ayes: Dineen, Humphrey, Intrabartola, Johnson, Karsh, 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 bill list attached to these minutes as submitted.

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

Vote all ayes  
Motion carried

**RESOLUTION # 50-19 – EXECUTIVE SESSION**

A motion was made by Ms. Karsh seconded by Mr. Humphrey, to enter into Executive Session at 10:27 p.m. to discuss a matter of Sewer Litigation.

**RESOLUTION # 50-19**

**RESOLUTION AUTHORIZING EXECUTIVE SESSION**

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\_\_\_\_\_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.)

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respect to said discussion. That time is currently estimated to be: \_\_\_\_\_

(estimated length of time) OR upon the occurrence of \_\_\_\_\_

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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.

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Vote all ayes

Motion carried

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**ADJOURNMENT:** Upon returning from Executive Session at 10:42 p.m. and there being no further business, a motion was made by Ms. Dineen seconded by Mr. Humphrey to adjourn the meeting at 10:43 p.m.



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Cecilia Covino, RMC/CMC, Municipal Clerk

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Mayor Janice Kovach