

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.”

APPROVAL OF COUNCIL MINUTES

A motion was made by Ms. Johnson seconded by Ms. Dineen, to approve the minutes of February 26, 2019 as submitted.

Vote all ayes
Motion carried

APPROVAL OF EXECUTIVE MINUTES

A motion was made by Mr. Smith, seconded by Ms. Karsh to approve the executive session minutes of February 26, 2019 at 7:30 pm as submitted.

Vote all ayes
Motion carried

APPROVAL OF EXECUTIVE MINUTES

A motion was made by Mr. Smith, seconded by Ms. Karsh to approve the executive session minutes of February 26, 2019 at 10:27 pm as submitted.

Vote all ayes
Motion carried

APPROVAL OF COUNCIL MINUTES

A motion was made by Ms. Johnson seconded by Ms. Dineen, to approve the minutes of March 12, 2019 as submitted.

Vote all ayes
Motion carried

PUBLIC COMMENTS

Steve Purdue, a Union Township resident, asked about development deals that have received will serve letters from Clinton Town and asked if Union Township had to go through the Highlands first. Mayor Kovach explained the process. A will serve letter from the Town means that water is available, but once a project is approved, Union Township would have to go through the Highlands to seek availability.

MAYOR’S COMMENTS

1. Invitation to attend the 2019 State of the City Address for the City of Perth Amboy, March 28, 2019.
2. Hunterdon County Education Association Fifth annual Friends of Education Gala, Friday, May 3, 2019 at Razberry’s Caterers, Frenchtown, NJ If interested, contact the clerk for more information.
3. Town of Clinton is organizing a softball team for May 4, 2019 at the Riegel Ridge Field, to “Strike out Hunger”. If interested in joining Mayor Kovach and her team, contact Nancy Burgess, Deputy Clerk, at nburgess@clintonnj.gov

4. Cannabis legislation has been pulled, governor's office looking to change the bill. Mayor Kovach Is hoping to hold a town hall meeting to address the topic.
5. A resident has started a petition to DOT regarding the I-78 overpass truck noise, re-structuring of the path of the fluids that leach down the overpass on Leigh Street. Requesting a curved cyclone fence installed on both sides of the overpass and a feasibility study as to the proper sound walls to be installed near the resident area of Leigh Street.
6. The MAX Challenge fundraiser will be held April 13, 2019 at the Red Mill from 1:30 to 5:30 p.m. Return of unused prescriptions can be disposed of that day as well.
7. Condolences to Allison Witt on the loss of her father.
8. Wastewater Treatment Plant Superintendent, Paul Klitsch, has retired after 40 years of dedicated service to the Town. We wish him a happy, healthy retirement.

SHADE TREE COMMISSION – RESOLUTION #59-19

Shade Tree members, John Kashwick and Deena Roberts came before council this evening to explain a proposed resolution opposing senate bill S2505 and Assembly Bill A2558 known as the Vegetation Management Response Act. Mr. Kashwick explained that this resolution goes far beyond clear cutting trees for power lines, and not even having to seek permission from homeowners. A motion was made by Ms. Dineen, seconded by Ms. Intrabartola, to approve the request to adopt Resolution #59-19 as submitted and to forward to the legislators listed on the resolution.

RESOLUTION # 59-19

RESOLUTION OPPOSING SENATE BILL S2505 AND ASSEMBLY BILL A2558 KNOWN AS THE VEGETATION MANAGEMENT RESPONSE ACT

WHEREAS, the Vegetation Management Response Act was introduced in the New Jersey State Senate (S2505) and the Assembly (A2558) in 2018; and

WHEREAS, the Town of Clinton greatly values our public and private trees and their great benefits to a healthy environment, beautification, and property values, while also recognizing the importance of maintaining the reliability of our public utilities, communications, and cable television services; and

WHEREAS, the Vegetation Management Response Act is overreaching and removes local government's ability to plan and manage vegetation in the right-of-way in stating that "The council, a shade tree commission, and any entity empowered pursuant to this chapter, shall not interfere with or restrict an electric public utility's removal, replacement, or maintenance of dangerous vegetation pursuant to the provisions"; and

WHEREAS, this bill creates a new definition—"dangerous vegetation"—that is not used in any universally accepted professional tree management standards, and gives the utility, cable and communications company sole discretion to determine what meets the criteria of "dangerous vegetation" without input from licensed tree experts representing the public or private property and expands the zone of the utility companies' unilateral authority to 100 feet from a utility line, effecting cedes control of large swaths of public and private land to the utilities; and

WHEREAS, the utility, cable or communications company is under no requirement to confer with or receive input or hear objections from local government, private property owners or the public prior to clearing, moving, cutting, and destroying the vegetation in either the public right-of-way or on private property; and

WHEREAS, utilities, cable or communications companies would not be bound by any local municipal regulations concerning tree preservation and vegetation management; and

WHEREAS, there is no mechanism for recourse or compensation for the loss of property value or the loss of the public good that trees provide, when removed; and

WHEREAS, there is an opportunity for a law that is crafted by all of the key stakeholders representing local government, private property owners, utilities, cable and communication companies, tree and vegetation management experts, so that it balances the interests of reliable power, cable and communications infrastructure with responsible tree preservation and vegetation management; now therefore

BE IT RESOLVED that the Town Council of the Town of Clinton, County of Hunterdon, State of New Jersey, opposes the enactment of The Vegetation Management Response Act in its current form; and

BE IT FURTHER RESOLVED, that if the Act is to be given further consideration by the Legislature, it should be amended as per the concerns above and so that the Act is narrowly tailored to accomplish its objectives: (1) with minimum intrusion on private and public property; (2) with no damage nor impact on healthy vegetation and trees; (3) in accord with universally accepted professional standards established by licensed tree experts; (4) with prior notice and local government involvement; and (5) to include a program of tree-planting and restoration; and

BE IT FURTHER RESOLVED by the Clinton Town Council that on behalf of our administration, residents and Shade Tree Commission that this legislation as currently drafted be amended to address the concerns above; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Governor Murphy, DEP Commissioner McCabe, Senate President Sweeney, Senator Doherty, Assembly Speaker Coughlin, Assemblyman Peterson, and Assemblyman DiMaio.

Vote all ayes
Motion carried

PUBLIC HEARING OF BOND ORDINANCE #19-01

A motion was made by Ms. Dineen, seconded by Ms. Johnson, to open the public hearing of Ordinance #19-01:

BOND ORDINANCE #19-01

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$100,000 FOR THE WEST MAIN STREET PEDESTRIAN SAFETY PROJECT IN AND BY THE TOWN OF CLINTON, COUNTY OF HUNTERDON, AND AUTHORIZING THE ISSUANCE OF \$100,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

Vote all ayes
Motion carried

There being no public comment, a motion was made by Mr. Smith, seconded by Ms. Karsh, to close the public portion of the meeting.

Vote all ayes
Motion carried

A motion was made by Ms. Karsh, seconded by Ms. Johnson, to adopt Ordinance #19-01 on final reading.

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

Vote all ayes
Motion carried

INTRODUCTION OF ORDINANCE #19-03 – CAP ORDINANCE

A motion was made by Ms. Dineen, seconded by Ms. Karsh, to introduce Ordinance #19-03 as submitted:

ORDINANCE # 19-03
CALENDAR YEAR 2019
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.50% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Town Council of the Town of Clinton in the County of Hunterdon finds it advisable and necessary to increase its CY 2019 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Town Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$ 34,448.55 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

NOW THEREFORE BE IT ORDAINED, by the Town Council of the Town of Clinton, in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2019 budget year, the final appropriations of the Town of Clinton shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 120,569.93 and that the CY 2019 municipal budget for the Town of Clinton be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Vote all ayes
Motion carried

A copy of this ordinance will be published in the Hunterdon Review edition of April 3, 2019. A public hearing will be held April 23, 2019.

INTRODUCTION OF 2019 BUDGET

A motion was made by Ms. Karsh, seconded by Ms. Dineen, to introduce the 2019 Budget as submitted. Mayor Kovach will be preparing a letter to residents explaining the budget. A summary of the budget will be published in the April 3, 2019 edition of the Hunterdon Review. A public hearing will be held April 23, 2019.

Vote all ayes
Motion carried

INTRODUCTION OF ORDINANCE #19-04 – UTILITY FEES

A motion was made by Mr. Smith, seconded by Mr. Humphrey, to introduce Ordinance #19-04 as submitted:

ORDINANCE #19-04

ORDINANCE ESTABLISHING WATER AND SEWER CONNECTION FEES FOR CERTAIN AFFORDABLE HOUSING PROJECTS

WHEREAS, as a result of the adoption and signing into law of P.L. 2018, c. 74, certain revisions need to be made to the Town Code as it pertains to water and sewer connection fees for affordable housing projects; and

WHEREAS, the Water Committee of the Town of Clinton has recommended to the Mayor and Council that the Code of the Town of Clinton be amended accordingly.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Clinton, the County of Hunterdon, that the Code of the Town of Clinton (“Code”) is hereby amended as follows: (1) those portions of the Code set forth below are hereby amended as follows; and (2) portions of the Code not set forth below shall remain unchanged:

SECTION 1. Section 112-9 of the Code of the Town of Clinton entitled “Connection fee,” which regulates fees charged for connection to the Town’s sewerage system, is amended to add subsection (H) as follows:

H. Affordable Housing

(1) For the purposes of this Section, “Affordable Housing Unit” shall mean a residential housing unit that is deed-restricted and credited pursuant to N.J.A.C. 5:97-4 (or order of a court of competent jurisdiction) and subject to the affordability controls set forth in N.J.A.C. 5:80-26.1.

(2) Pursuant to N.J.S.A. 40:14B-22.3, as amended by P.L. 2005, c. 29, effective January 26, 2005, public housing authorities and non-profit organizations building affordable housing shall be allowed a fifty percent (50%) reduction in the connection fee assessed hereunder for new connections to the sewerage system attributable to an affordable housing unit.

Pursuant to N.J.S.A. 40:14B-22.3(a), as amended by P.L. 2018, c. 74, effective August 10, 2018, the above-referenced 50% reduction shall apply to any other affordable housing units, including affordable housing units in inclusionary projects.

(3) For units previously connected to the sewerage system that were demolished or refurbished to allow for new affordable housing units for which a connection fee was previously paid, public housing authorities and non-profit organizations and, effective for applications received after August 10, 2018, other affordable housing including affordable housing units in inclusionary projects, shall be entitled to a credit against the connection fee assessed hereunder equal to the connection fee previously assessed and paid when the former units previously connected to the sewerage system.

(4) The connection fee assessable against a public housing authority or non-profit organization and, effective for applications received on and after August 10, 2018, other affordable housing owners, for units previously connected to the sewerage system that were demolished or refurbished to allow for

new affordable housing units shall be the lesser of the reduced rate provided for in Paragraph (3) above; or the current connection fee applicable to market-rate units of the same type minus the credit provided under Paragraph (3) above provided that the public housing authority, non-profit organization, or other affordable housing owner can establish that a connection fee was previously assessed and paid for connecting to the sewerage system. If the public housing authority, non-profit organization, or other affordable housing owner cannot establish that a connection fee was previously assessed and paid for connecting to the sewerage system, the reduced rate provided for in Paragraph (2) above (i.e. fifty percent (50%) of the regular connection Fee) shall be assessed.

SECTION 2. Section 73-3, Subsection D of the Code of the Town of Clinton entitled ““Water and Sewer Departments” is hereby amended and supplemented as follows (Additions indicated in boldface and italics *thus*; deletions indicated with strike-through ~~thus~~);

Sewer Department	Fee
Sewer connection	\$750.00 new home
Each flat rate sewer rental unit	
Sewer rentals and charges	Based on annual operating costs per § 112-10 and established annually by Town Council <i>and subject to any reductions and / or credits provided for in Section 112-9(H)</i>

SECTION 3. Section 142-1 of the Code of the Town of Clinton entitled “Regulations,” which regulates fees charged for connection to the Town’s water system, is amended to add subsection (G)(1)(f) as follows:

f. Affordable Housing

(i) For the purposes of this Section, “Affordable Housing Unit” shall mean a residential housing unit that is deed-restricted and credited pursuant to N.J.A.C. 5:97-4 (or order of a court of competent jurisdiction) and subject to the affordability controls set forth in N.J.A.C. 5:80-26.1.

(ii) Pursuant to N.J.S.A. 40:14B-22.3, as amended by P.L. 2005, c. 29, effective January 26, 2005, public housing authorities and non-profit organizations building affordable housing shall be allowed a fifty percent (50%) reduction in the connection fee assessed hereunder for new connections to the water system attributable to an affordable housing unit.

Pursuant to N.J.S.A. 40:14B-22.3(a), as amended by P.L. 2018, c. 74, effective August 10, 2018, the above-referenced 50% reduction shall apply to any other affordable housing units, including affordable housing units in inclusionary projects.

This 50% reduction shall not apply to extraordinary charges incurred for such connection, including but not limited to infrastructure improvements required to serve the project or costs and charges incurred in acquiring water allocation from a third-party contractual user of the water system to serve the project.

(iii) For units previously connected to the water system that were demolished or refurbished to allow for new affordable housing units for which a connection fee was previously paid, public housing authorities and non-profit organizations and, effective for applications received after August 10, 2018, other affordable housing including affordable housing units in

inclusionary projects, shall be entitled to a credit against the connection fee assessed hereunder equal to the connection fee previously assessed and paid when the former units previously connected to the water system.

(4) The connection fee assessable against a public housing authority or non-profit organization and, effective for applications received on and after August 10, 2018, other affordable housing owners, for units previously connected to the water system that were demolished or refurbished to allow for new affordable housing units shall be the lesser of the reduced rate provided for in Paragraph (3) above; or the current connection fee applicable to market-rate units of the same type minus the credit provided under Paragraph (3) above provided that the public housing authority, non-profit organization, or other affordable housing owner can establish that a connection fee was previously assessed and paid for connecting to the water system. If the public housing authority, non-profit organization, or other affordable housing owner cannot establish that a connection fee was previously assessed and paid for connecting to the water system, the reduced rate provided for in Paragraph (2) above (i.e. fifty percent (50%) of the regular connection Fee) shall be assessed.

SECTION 4. Section 73-3, Subsection F of the Code of the Town of Clinton entitled ““Water supply systems” is hereby amended and supplemented as follows (Additions indicated in boldface and italics *thus*; deletions indicated with strike-through ~~thus~~);

Activity	Fee
Filing application and plans for a permit to locate and construct an individual system	\$10.00
Filing application and plans for a permit to alter an Existing individual system	\$10.00
Issuance of a permit to locate and construct or alter an individual water supply	\$15.00
Each reinspection of an individual water supply or part thereof caused by failure of permittee to locate and construct or alter the system in accordance with terms of the permit or terms of the Individual and Semipublic Water Supply Code	\$15.00
 Activity	 Fee
Water, temporary discontinuance	
Turned off	Normal Hours 50.00 Off Hours \$150.00 (3 Hrs. Min. Overtime)

Turned on	Normal Hours 50.00 Off Hours \$150.00 (3 Hrs. Min. Overtime)
Unauthorized operation of water system components (including water meters)	Maximum of \$1,250/occurrence
Testing of meter, due to Consumer Complaint (if meter is found to register against the Consumer by more than 3% inaccuracy - no charge)	\$50
Special meter reading	Normal Hours 50.00 Off Hours \$150.00 (3 Hrs. Min. Overtime)
Water rates office	As per rates-on file in Town Clerk's
Water Department	Fee
Water main connection	
Service Connection Fee	As per rates on file in Town Clerk's office <i>and subject to any reductions and / or credits provided for in Section 142(G)(1)(f)</i>
Water Service Tap Installation Fee	
Service line not exceeding 2-inch diameter	\$3,700 (plus any Extraordinary Charges for Service Connections as indicated in Chapter §142-9, if applicable)
Service line larger than 2-inch diameter (water service tap installation shall be performed by Applicant)	Cost of inspections by the Water Department or its agent (\$2,500 initial escrow; to be replenished as necessary/as advised by the Water Department)
Meter Pits (If required)	To be paid by the property owner(s)
Field Service Charges Repairs (to a leak for a customer or for a contractor)	
a. Equipment Hourly Rates:	
1. Backhoe	\$88.00
2. Dump truck	\$52.00

3. Service truck \$52.00
4. All parts 115% of the price of the part

b. Labor shall be as followed: The current rate in which the Collective Bargaining Agreement stipulates including time and a half for all non-regular business hours.

SECTION 5. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 6. 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 7. This Ordinance shall take effect upon final passage and publication according to law.

Vote all ayes
Motion carried

Mr. Smith did want to make it clear that a discount will not go to a tenant but to the developer.

A copy of this Ordinance will be published in the Hunterdon Review April 3, 2019 edition. A public hearing will be held April 23, 2019.

ORDINANCE #19-05 – REIMBURSEMENT FOR FIRE DEPARTMENT

A motion was made by Ms. Johnson, seconded by Ms. Intrabartola, to introduce Ordinance #19-05. Mr. Smith suggested Council table the ordinance until language received from the auditor, Suplee Clooney, can be incorporated, which would direct funds received from reimbursement to the direct supervision and control of the Chief Financial Officer in a municipal trust fund and then remitted to the Fire Department either monthly or quarterly. The Fire Department should also provide the CFO with a monthly billing report to establish a receivable schedule that details what is due and owing to the municipality for each recipient of the service. Therefore, Ordinance #19-05 will be tabled until the April 9, 2019 meeting when the changes will be added.

RESOLUTION #55-19 – RARITAN VALLEY LINE – “ONE SEAT RIDE”

Mayor Kovach explained that the Town of Clinton is part of a coalition supporting “one seat ride” during off-peak hours into NY Penn Station. A motion was made by Mr. Smith, seconded by Ms. Karsh, to adopt Resolution #55-19 as submitted:

RESOLUTION # 55-19

WHEREAS, the Raritan Valley Line (RVL) trains currently terminate in Newark Penn Station and riders destined for midtown Manhattan and Penn Station must transfer platforms and trains; and,

WHEREAS, RVL is one of the busiest and fastest growing lines of NJ Transit with more than 23,000 weekday passengers and no midtown direct, one-seat ride in and out of NY; and,

WHEREAS, RVL did get some off-peak hour one-seat service in 2014 and 2015 that provided relief and on average a 30 minute reduction in commuting time each way; and,

WHEREAS, the off-peak one-seat service on RVL, Atlantic City and Princeton Lines were suspended in 2018 because of Positive Train Control installation; and,

WHEREAS, Atlantic City and Princeton trains will be restored on May 24, 2019, there is no confirmation that service will be restored on the RVL; and,

WHEREAS, the Town of Clinton and the Raritan Valley Line Mayors Alliance of 32 Mayors in Union, Somerset, Hunterdon and Middlesex Counties, organized in 2018 by Fanwood Mayor Colleen Mahr, Westfield Mayor Shelley Brindle and Bound Brook Mayor Robert Fazen, are committed advocates for equitable service for RVL; and,

WHEREAS, 23,000 commuters and approximately 400,000 residents in towns served by the RVL deserve to know when the suspended off-peak morning and evening direct trains into New York will be back on schedule; and,

WHEREAS, midtown direct train service, known as “one-seat ride” has a positive impact on Clinton, quality of life for our residents, home values and business growth;

NOW, THEREFORE, BE IT RESOLVED the Town Council of the Town of Clinton urge Governor Phil Murphy, DOT Commissioner Gutierrez and our State Legislators to support the immediate restoration of the off-peak hour “one seat ride” to NY Penn Station.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to Governor Murphy, Clinton’s Legislative Delegation and NJ Transit.

Vote all ayes
Motion carried

RESOLUTION #56-19 – STOP THE DIVERSION OF 9-1-1 FEES

A motion was made by Mr. Smith seconded by Ms. Karsh, to adopt Resolution #56-19 as submitted:

RESOLUTION # 56-19

Resolution Calling for an Amendment to the New Jersey Constitution to Stop the Diversion of 9-1-1 Fees To Non 9-1-1 Uses

WHEREAS, Hunterdon County’s 9-1-1 Communications Center serves all law enforcement units, volunteer fire companies and rescue squads, and other emergency responders in the County from a centralized facility, and has a long, established record of service excellence and saving lives; and

WHEREAS, the State of New Jersey collects a fee of 90 cents for each phone in the state for the purpose of providing funding to county and local 9-1-1 centers, totaling \$120 million per year, but diverts those fees to uses other than local 9-1-1 center costs; and

WHEREAS, the Hunterdon County Board of Chosen Freeholders has consistently provided funding over the years to ensure the County’s 9-1-1 system is maintained with the latest technological advances, while receiving no financial support from the state 9-1-1 fund; and

WHEREAS, the dedication of 9-1-1 fees for use in supporting county and local 9-1-1 centers through an amendment to the state constitution will ensure the fees are used only as intended and prevent the diversion of fees;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Clinton, in the County of Hunterdon, encourages the members of the State Legislature representing Hunterdon County to support a constitutional amendment ensuring 9-1-1 fees paid by the public are used for their intended purpose, to support county and local 9-1-1 centers.

Vote all ayes
Motion carried

RESOLUTION #57-19 – NJ LOCAL GOVERNMENT WEEK

A motion was made by Ms. Ms. Karsh, seconded by Ms. Johnson, to adopt Resolution #57-19 recognizing NJ Local Government Week and promoting the Town of Clinton with an exciting agenda of events for April 7 – 13, 2019.

**RESOLUTION #57-19
NJ LOCAL GOVERNMENT WEEK**

A RESOLUTION OF THE TOWN OF CLINTON, RECOGNIZING NJ LOCAL GOVERNMENT WEEK, APRIL 7-13, 2019, AND ENCOURAGING ALL CITIZENS TO SUPPORT THE CELEBRATION AND CORRESPONDING ACTIVITIES.

WHEREAS, local government is the government closest to most citizens, and the one with the most direct daily impact upon its residents; and

WHEREAS, local government provides services and programs that enhance the quality of life for residents, making their municipality their home; and

WHEREAS, local government is administered for and by its citizens, and is dependent upon public commitment to and understanding of its many responsibilities; and

WHEREAS, local government officials and employees share the responsibility to pass along the understanding of public services and their benefits; and

WHEREAS, NJ Local Government Week offers an important opportunity for elected officials and local government staff to spread the word to all citizens of New Jersey that they can shape and influence this branch of government; and

WHEREAS, the NJ State League of Municipalities and its member municipalities have joined together to teach citizens about municipal government through a variety of activities.

NOW, THEREFORE, BE IT RESOLVED BY GOVERNING BODY AS FOLLOWS:

Section 1. That the Mayor and Council encourage all citizens, local government officials, and employees to participate in events that recognize and celebrate NJ Local Government Week.

Section 2. That Clinton encourages educational partnerships between local government and schools, as well as civic groups and other organizations.

Section 3. That Clinton supports and encourages all New Jersey local governments to actively promote and sponsor NJ Local Government Week.

NJ LOCAL APRIL 7-13 GOVERNMENT 2019 WEEK

#njlocalgovt

Sunday, April 7th

Touch-a-Truck

1 – 4 PM – Municipal Building parking lot, 43 Leigh Street. Free – no registration required.
Come check out what our Fire Department and First Aid & Rescue Squad use to protect and serve our community! Very exciting!

Monday, April 8th

North Branch Hunterdon Library – Halstead Street, next to Community Center

Lego building! Ages 5 and up, grades 1 – 5. 3:30 PM to 4:30 PM

Tuesday, April 9th

North Branch Hunterdon Library

Story time, 10:00 to 11:00 AM -----and ----- Meditation/yoga at noon

Students in Government

9:30 AM, Clinton Public School, 7 & 8th Graders meet Mayor and Council! All purpose room.
7:30 PM, Clinton Town Council meeting room second floor.

North Branch Hunterdon Library

Book night, monthly meetings 7:00 PM This month is Julius Caesar

Wednesday, April 10th

Fitness Trail Walk

9:00 AM meet at Hunts Mill Park, plenty of parking, all fitness levels, all ages welcome to join!

North Branch Hunterdon Library

2:00 PM – Silverscreen's Greatest Hit Maker, Harry Warren, portraying Fred Miller lecture in song series

Thursday, April 11th

North Branch Hunterdon Library

Story time – 2:00 – 2:45 PM for children ages 3 – 5 only – pre-registration required. Phone number 908-730-6262.

Kindness Rock Painting

3:30 – 5:00 PM - Community Center Park, in case of rain, inside Community Center - all ages

Friday, April 12th

North Branch Hunterdon Library

Drop in SCRABBLE! EVERY FRIDAY! 1:00 PM Adults

Saturday, April 13th & Sunday, April 14th

North Branch Hunterdon Library

Annual Delaware Valley Bead Society OPEN HOUSE – techniques, works on display and demonstrations.
1:00 to 4:00 PM - Raffle basket donated by Friends of H.C. Library

RESOLUTION #58-19 – TRANSFER OF FUNDS

A motion was made by Ms. Johnson, seconded by Ms. Intrabartola, to adopt Resolution #58-19 as submitted:

RESOLUTION #58-19

WHEREAS, various 2018 bills have been presented for payment this year, which bills were not covered by order number and/or recorded at the time of transfers between the 2018 Budget Appropriation Reserve in the last two months of 2018; and

WHEREAS, N.J.S. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Clinton that transfers in the amount of \$8,000.00 be made between the 2018 Budget Appropriation Reserves as follows:

	<u>FROM</u>	<u>TO</u>
Sewer Utility		
Salary & Wages	\$8,000.00	
Sewer Utility		
Other Expenses		\$8,000.00
	<hr/>	<hr/>
TOTALS	\$8,000.00	\$8,000.00

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

Vote all ayes
Motion carried

BANNER REQUESTS

The Sunrise Rotary will be hosting their Annual Fishing Derby on April 27, 2019 at DeMott Pond. The Rotary is requesting to display a 30 SF banner along the fencing at the pond 2 weeks prior to the event. Mr. Smith expressed concern with blocking the spillway for fear a child falls in and cannot be seen.

Council decided the best option would be to display the banner on fence stakes in the grassy area outside of the pond without blocking the driveway ingress or egress. A motion was made by Ms. Johnson, seconded by Ms. Dineen to approve the request with the suggested location.

Vote all ayes
Motion carried

CORRESPONDENCE

A citizen involvement application has been received from Paul C. Arnold, 28 Hillside Drive, expressing an interest in becoming a member of the Board of Recreation Commission. A motion was made by Mr. Smith, seconded by Mr. Humphrey to appoint Mr. Arnold to the Commission.

Vote all ayes
Motion carried

REPORTS FROM COUNCIL

R. Phelan, Business Administrator

Mr. Phelan informed Council that the New Jersey Water Authority has reached out asking for the Town's support in their acquisition of open space. Specifically the land adjacent to the Wastewater Treatment Plant.

Councilwoman Johnson

1. Board of Education – Clinton Public will be taking a loss of 5% in State funding over the next 3 years. Dr. Cohen is looking to bring revenue into the school by bringing in a program for students with multi disabilities. Bringing them back to our community and not sending them to other districts.
The students are starting up a school newspaper call the Bull Dog Press. Mr. Humphrey joined Ms. Johnson and told the students we can include a “Kid Piece” into the Town newsletter. Everyone was excited about working together.
2. Board of Recreation – is expecting an engineering proposal from Suburban Consulting for a playground design at the Community Center. The student at Clinton Public will be surveyed as to what they would like to see and want at the playground.
The Commission is creating new events and moving forward.
Welcome to Paul Arnold as a member of the Commission.
3. NJ Local Government Week – Mayor Kovach, Councilwomen Johnson and Karsh will be meeting with Dr. Cohen and the 7 & 8th graders on Tuesday morning, April 9th at 9:30 a.m. in the all-purpose room.

Councilman Humphrey

1. Communications Committee – (formerly Newsletter / Website Committee) is collecting the responses sent out to residents with the Town directory. The Committee is asking residents how they would like to receive notices and about 100 responses have been received already.
2. The Clinton Conservancy has exhausted their first grant which led to great success! Plans and ideas are in the works for larger grants and special events!

Tara St. Angelo, Attorney

Ms. St. Angelo reported that no bids were received for the hotel liquor license. There is no need to go out again at this time.

Councilman Smith

1. Water committee – the water main replacement project will begin in May in the area of the Clinton House to the Red Mill. A mailer will be sent out to residents advising them of the project and the disruption in traffic. Social media will also send notices.
2. Clinton Township Mayor John Higgins asked if the Town of Clinton would be interested in taking over the water company and the well for the 400 units to be built on the Headley Farm, the proposed development located behind the Mews in Annandale, near the train station. Mr. Smith said the town is not interested as it is not geared for that liability.
3. Sewer – the filter building project final cost estimate is \$3.2 million with an 8 to 10 month lead time for most of the equipment needed. 2020 projection time for project.

Councilwoman Karsh

1. Economic Development Committee met and worked out some kinks on the data we are getting from the County on marketing material.
2. The Clinton Guild met and approved Dan Shea as the next Town Crier.
3. April is organ donor month, green and blue ribbons are being displayed in honor of the month. April 12 is the day dedicated to the special month.
4. Clinton Presbyterian Church is hosting another day, March 30 from 9-11 am, to help patrons of the food pantry that has been closed due to broken water pipes. Clinton Presbyterian also hosts a pre-k program to help with residents children in the area.
5. MAX challenge hosting an exciting event at the Red Mill on April 13th!

Councilwoman Dineen

1. Land Use Board cancelled meeting for April 2, and rescheduled for April 16 at 7:00 p.m. for the final phase of the final site plan for the Marriott on Route 31 north.

Councilwoman Intrabartola

1. Board of Recreation – hosting the Senior luncheon at 11:30 a.m. on Sunday May 5 at the Clinton Fire Department. Girl scouts may be helping to serve!
Summer Recreation succeeded in extending their program and will be working with all sports camps run by the school. Summer Rec normally ran from 9 – noon followed by sports, now it will immediately follow summer rec so parents wanting to sign children up it could run from 9 – 3 for July and part of August.
2. Historic Commission – Historic walking tour will take place August 6, rain date August 7. Meeting at the Red Mill at 11:00 a.m. with a 30 minute tour to start, then walk down Main Street with Carol Beder to address the group which will then continue up to Center Street ending at the Clinton Presbyterian Church and the historic cemetery. This is being organized in conjunction with the Hunterdon County 305 Celebration!

A brochure is being discussed to present to resident's interested in maintaining the historic architecture of their homes and to be made available to the Land Use Board for inclusion in the Master Plan.

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 March 8, 2019 through March 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 Ms. Karsh seconded by Mr. Humphrey, 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 # 60-19 – EXECUTIVE SESSION

A motion was made by Mr. Humphrey seconded by Ms. Karsh, to enter into Executive Session at 8:30 p.m. to discuss a matter of Potential Litigation and contract negotiations.

RESOLUTION # 60-19

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

ADJOURNMENT: Upon returning from Executive Session at 8:52 p.m. and there being no further business, a motion was made by Ms. Dineen seconded by Mr. Humphrey to adjourn the meeting at 8:53 p.m.

Cecilia Covino, RMC/CMC, Municipal Clerk

Mayor Janice Kovach