

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. Humphrey, seconded by Ms. Dineen, to approve the council meeting minutes of April 9, 2019 as submitted.

Vote all ayes
Motion carried
1 Abstention (Smith)

PUBLIC COMMENT

1. Town of Clinton First Aid and Rescue Chief, Frank Setnicky, addressed the Mayor and Council to clarify a press release that was sent out stating that the Clinton Rescue Squad and the High Bridge Rescue Squad are going to merge in the near future. The press release made it seem like this was a done deal but it is not. Mr. Setnicky said there has been talk about it and it looks like it will happen in the future. The Clinton squad has 60 to 70 volunteers and High Bridge does not have that many. He feels we can pool our resources which will allow us to cut back on some resources like ambulances. High Bridge will benefit from the training that the Clinton squad has. Both squads will benefit. The Clinton squad covers five municipalities in the area. The area has grown substantially, as of today Mr. Setnicky stated there are about 3000 calls compared to when he started in 1984 where there were only about 600 calls. There is no time frame for this consolidation. As of now there is not much to report on this matter. It was talked about many years ago and High Bridge approached Clinton recently to discuss the consolidation of the two squads. Mr. Setnicky said it will be close to a year before anything happens.

2. Mayor Kovach introduced officially, Brenda Karcher, the new employee at the Waste Water Treatment Plant. Mayor and Council welcomed her and thanked her for coming in and meeting everyone.

3. Mr. Ken Fisher, 71 Leigh Street, brought up the issue of the Interstate Route 78 noise and water pollution. He said this past Easter Sunday he had the opportunity to speak to a Department of Transportation (DOT) sub-contractor who gave him more information. This sub-contractor mentioned that his thoughts on the possible problem is the water bulk heads. This is where Route 78 transitions onto an overpass. He believes these bulk heads may have been reduced in size due to settling, time, or maybe the tapering did not get done correctly. The sub-contractor said there would be two options: 1. put down fiberglass coating and seal it with black top over it and will meld to the concrete; 2. use high performance

material to reduce the sound. Mr. Fisher said the contractor would like to come out and take a look at this overpass. The main point is the pounding of the traffic on Interstate Route 78. The contractor told Mr. Fisher that once the job is complete and finalized with DOT the sub-contractor is given a punch list. When that is complete the sub-contractor is done. Mr. Fisher was told after the final payment is paid the only person who can change anything would be the Mayor of the Town.

Mayor Kovach responded that was interesting because that is not correct according to DOT. Mayor Kovach has had multiple conversation with Meredith Hammond, Ahmat Jahn, Deputy Commissioner, Engineers, Director of Government Relations, and the Governor's office. She tells the governor's office and they tell DOT and then get a call that whatever needed to be done was done. Mayor Kovach said again she is not the person to get it done. Mayor Kovach told Mr. Fisher to give her his number or she will give him her number to help get something done. Mayor Kovach is willing to help in any way she can.

Mr. Fisher also mentioned about the jake brake noise from trucks on Interstate 78. The correct term now for jake brake is brake retard. Older trucks are using the brake retard instead of the brake to slow down. The new diesel trucks are so quiet you cannot hear the brake retard. Mr. Fisher asked how we regulate that. Mr. Fisher also mentioned that debris is still coming down onto Leigh Street from the overpass of Interstate 78. He is concerned that one day someone is going to get hurt.

MAYOR'S COMMENTS

1. Mayor Kovach reminded everyone to file their Financial Disclosure Statements. They are due April 30, 2019 and there is a \$100 a day fine for not each day not filed.
2. The Highlands Council recently introduced an Initial Assessment Grant Program which awards up to \$50,000 to communities to provide economic initiatives.
3. Officer Robbins is going to receive a Meritorious Service Award at the upcoming Hunterdon County 200 Club Valor & Merit Awards Ceremony. Congratulations to him for that and also for becoming a father back in December 2018.
4. Mayor Kovach and the Council received with a heavy heart a letter of resignation for Chief Brett Matheis. He will be retiring on June 30, 2019. Chief Matheis has been the chief for twenty one and a half years with the Town of Clinton. Chief Brett Matheis will be missed.
A motion was made with regret by Mr. Smith, seconded by Mr. Humphrey to accept Chief Brett Matheis' letter of resignation.
5. Department of Environmental Protection (DEP) is re-categorizing 729 miles of river and streams to C-1 classification. This will include the South Branch Raritan River and also the Beaver Brook. This will have a potential impact on our sewer system as well as the two new developments coming into town. DEP has extended the comment period to June 3, 2019. We are working with the county to come up with some supporting documentation for them to look at before going through with this. The small communities are the ones mostly affected by this. Mayor Kovach said she will prepare a resolution for the next meeting in May to send down to DEP.
6. Mayor Kovach wanted to clarify rumors going around that she has been reaching out to mayors of other communities to tell them not to settle their police contracts. It originated in Flemington which is why she went to Flemington's council meeting last night to stop the rumors. Mayor Kovach said she has not and will not, it is not her place, have conversations with other mayors about how they should handle their contract negotiations. Contract negotiations are specific to each community and it is not her place or her business to say what/how to do it. Mayor Kovach addressed Sergeant Cory Kubinak to let Hunterdon

County PBA know that she has made it public in two locations that she is not saying for other towns not to settle. Sergeant Cory Kubinak responded that the Hunterdon County PBA is aware of that fact.

PROCLAMATION – RELAY FOR LIFE

A proclamation established May 3, 2019 as Wish Upon A Cure Day and May 3rd and May 4th, 2019 as Relay For Life of Hunterdon County.

PROCLAMATION – EMS WEEK OF MAY 19-25

Tabled – to be given out at a later date.

PUBLIC HEARING – ORDINANCE #19-03

A motion was made by Mr. Smith, seconded by Ms. Johnson to open the public hearing of Ordinance #19-03:

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

Vote all ayes
Motion carried

There being no further comment or discussion, a motion was made by Mr. Smith, seconded by Ms. Dineen, to close the public portion on the ordinance.

Vote all ayes
Motion carried

A motion was made by Ms. Johnson, seconded by Mr. Smith, to adopt Ordinance #19-03 on final reading. A copy of this ordinance will be sent to the Division of Local Government Services along with the 2019 Municipal Budget.

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

Vote all ayes
Motion carried

PUBLIC HEARING – 2019 MUNICIPAL BUDGET / ADOPTION

A motion was made by Ms. Johnson, seconded by Mr. Smith to open the public hearing of the 2019 Municipal Budget:

Vote all ayes
Motion carried

There being no further comment or discussion, a motion was made by Mr. Smith, seconded by Ms. Karsh, to close the public portion on the 2019 Municipal Budget.

Vote all ayes
Motion carried

A motion was made by Mr. Smith, seconded by Mr. Humphrey, to adopt 2019 Municipal Budget on final reading.

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

Vote all ayes
Motion carried

PUBLIC HEARING – ORDINANCE #19-04

A motion was made by Ms. Karsh, seconded by Ms. Johnson to open the public hearing of Ordinance #19-04

ORDINANCE #19-04
ORDINANCE ESTABLISHING WATER AND SEWER CONNECTION FEES FOR
CERTAIN AFFORDABLE HOUSING PROJECTS

Vote all ayes
Motion carried

There being no further comment or discussion, a motion was made by Mr. Smith, seconded by Ms. Karsh, to close the public portion on the ordinance.

Vote all ayes
Motion carried

A motion was made by Mr. Smith, seconded by Mr. Humphrey, to adopt Ordinance #19-04 on final reading.

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

Vote all ayes
Motion carried

INTRODUCTION OF ORDINANCE #19-06 – GENERAL CAPITAL

A motion was made by Ms. Karsh, seconded by Ms. Intrabartola to introduce Ordinance #19-06 on first reading:

CAPITAL ORDINANCE NO. 19-06

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 \$157,000.00 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>
Upgrade Telephone System	\$20,000.00
IDEMIA Live Scan System – Police	22,500.00
Speed Humps – Haver Farm/Mitchell Lane	35,000.00
New Vehicle – Streets & Roads	40,000.00
Barn Roof	12,500.00
Two Salt Spreaders	18,000.00
Chain Link Fence – Barn	9,000.00
 TOTAL	 \$157,000.00

Section 2. The aggregate sum of \$157,000.00 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.

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

Vote all ayes
Motion carried

A copy of this ordinance will be published in the May 1, 2019 edition of the Hunterdon Review. A public hearing will be held May 14, 2019.

INTRODUCTION OF ORDINANCE #19-07 – WATER UTILITY

A motion was made by Mr. Smith, seconded by Ms. Johnson to introduce Ordinance #19-07 on first reading:

CAPITAL ORDINANCE NO. 19-07
WATER UTILITY

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 \$183,000.00 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>
New Vehicle	\$ 80,000.00
Jackhammers	2,000.00
Water Main Tapping Machine	3,500.00
Mini Excavator	70,000.00
Repairs to Roof – Well #12 - Barn	15,000.00
Barn Roof	12,500.00
 TOTAL	 \$ 183,000.00

Section 2. The aggregate sum of \$183,000.00 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.

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

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

Vote all ayes
Motion carried

A copy of this ordinance will be published in the May 1, 2019 edition of the Hunterdon Review. A public hearing will be held May 14, 2019.

INTRODUCTION OF ORDINANCE #19-08 – SEWER UTILITY

A motion was made by Ms. Johnson, seconded by Mr. Humphrey to introduce Ordinance #19-08 on first reading:

SEWER UTILITY

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 \$118,000.00 FROM THE SEWER CAPITAL IMPROVEMENT FUND 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>
Composite Samplers	\$ 8,000.00
Effluent Pump Controller	40,000.00
HVAC System – Main Building	25,000.00
Chip & Tar Road	20,000.00
Centrifigul Blower	25,000.00
 TOTAL	 \$118,000.00

Section 2. The aggregate sum of \$118,000.00 is hereby appropriated from the Sewer Utility Capital Improvement Fund for Sewer Utility Improvements within 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.

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

Vote all ayes
Motion carried

A copy of this ordinance will be published in the May 1, 2019 edition of the Hunterdon Review. A public hearing will be held May 14, 2019.

RESOLUTION #69-19 – AUTHORIZING EXECUTION OF SETTLEMENT AGREEMENT WITH GLEN G. HALE, INC.

A motion was made by Mr. Smith, seconded by Ms. Karsh to adopt Resolution #69-19 as submitted:

**RESOLUTION #69-19
AUTHORIZING EXECUTION OF SETTLEMENT AGREEMENT
WITH GLEN G. HALE, INC.**

WHEREAS, the Town sought bids for the “Route 173 and Main Street Road Improvement Project,” and

WHEREAS, the Town received bids from the following bidders:

<u>Name of Bidder</u>	<u>Amount of Bid</u>
1. Glen G. Hale, Inc.	\$265,818.13
2. Reivax Contracting Corp.	\$269,497.00
3. Top Line Construction, Corp.	\$282,597.81

WHEREAS, Hale was deemed the lowest responsible bidder after review of the requisite bidding documents by the Town Attorney and Engineer; and

WHEREAS, as part of its response to the bid, Hale submitted a Proposal Bond in the amount of \$20,000 issued by AEGIS Security Insurance Company, which is attached hereto as **Exhibit A** (hereinafter the “Bid Bond”).

WHEREAS, prior to the award of the bid to Hale and execution of a contract, a representative of Hale advised the Town that it would not be able to complete the contract as bid; and

WHEREAS, Reivax Contracting Corp. (hereinafter “Reivax”) was deemed to be the next lowest responsible bidder after review of the requisite bidding documents by the Town Attorney and Engineer; and

WHEREAS, Reivax’s bid is \$3,678.87 higher than Hale’s; and

WHEREAS, the Parties wish to avoid the cost and uncertainties of litigation of this matter and wish to settle same amicably pursuant to this Agreement.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Clinton, Hunterdon County that Mayor and Clerk are authorized to execute the settlement agreement attached hereto in substantially the same form as attached hereto.

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

Vote all ayes
Motion carried

**RESOLUTION #67-19 – AWARD OF CONTRACT – WEST MAIN STREET PEDESTRIAN
SAFETY PROJECT**

A motion was made by Ms. Karsh, seconded by Ms. Dineen to adopt Resolution #67-19 as submitted:

RESOLUTION # 67-19

RESOLUTION TO AWARD CONTRACT FOR WEST MAIN STREET
PEDESTRIAN SAFETY PROJECT

WHEREAS, the Town of Clinton (“Town”) sought bids for the “Route 173 and Main Street Road Improvement Project,” and

WHEREAS, the Town received bids from the following bidders:

<u>Name of Bidder</u>	<u>Amount of Bid</u>
1. Glen G. Hale, Inc.	\$265,818.13
2. Reivax Contracting Corp.	\$269,497.00
3. Top Line Construction, Corp.	\$282,597.81

WHEREAS, Glen G. Hale, Inc. was deemed the lowest responsible bidder after review of the requisite bidding documents by the Town Attorney and Engineer; and

WHEREAS, a representative of Glen G. Hale, Inc. advised the Town that it would not be able to complete the contract as bid; and

WHEREAS, Reivax Contracting Corp. was deemed to be the next lowest responsible bidder after review of the requisite bidding documents by the Town Attorney and Engineer; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds will be available in the amount of \$269,497.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Clinton, County of Hunterdon, State of New Jersey that the contract for the Route 173 and Main Street road Improvement Project is hereby awarded to the most responsive bidder, Reivax Contracting Corp., subject to approval of the form of the bids by the Municipal Attorney and Engineer.

BE IT FURTHER RESOLVED, the award of the contract is subject to review and approval by the New Jersey Department of Transportation.

BE IT FURTHER RESOLVED, subject to the approval as to form of the bids by the New Jersey Department of Transportation, Town Attorney, and Town Engineer, that the Mayor and the Town Clerk are hereby authorized and directed to execute the contract for the same.

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

Vote all ayes
Motion carried

RESOLUTION #70-19 - PROMOTION

A motion was made by Mr. Smith, seconded by Mr. Humphrey to adopt Resolution #70-19 as submitted:

RESOLUTION #70-19

WHEREAS, the Water Superintendent of the Town of Clinton Water Utility will be retiring effective June 1, 2019 with his last day of work being May 10, 2019, the Water Committee is recommending that Arthur Dysart be promoted to the position of Water Superintendent at the salary of \$84,371.83 annually, commencing May 13, 2019;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Clinton approve that Arthur Dysart be promoted to the position of Water Superintendent at the Town of Clinton Water Utility.

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

Vote all ayes
Motion carried

RESOLUTION #71-19 – TAX REFUND – HALSTEAD PLACE

A motion was made by Ms. Dineen, seconded by Ms. Johnson to adopt Resolution #71-19 as submitted:

RESOLUTION #71-19

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Clinton that the Chief Financial Officer be authorized to refund the overpayment from the following account and send in c/o McKirdy, Riskin, Olson & DellaPelle, P.C., 136 South Street, PO Box 2379, Morristown, NJ 07962:

<u>BLOCK</u>	<u>LOT</u>	<u>OWNER</u>	<u>AMOUNT</u>
16	22.02	Halstead Place at Clinton LLC	\$14,939.67

BE IT FURTHER RESOLVED that the Tax Collector remove the overpayment on the above block and lot for the 4th quarter of 2018 and 1st quarter of 2019.

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

Vote all ayes
Motion carried

BANNER REQUEST – CLINTON UNITY BANK – CAR SHOW – JUNE 10-17, 2019

A banner request has been received from Clinton Unity Bank to display a banner promoting the Charity Car show to benefit Family Promise of Hunterdon and Warren Counties.

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

Vote all ayes
Motion carried

CORRESPONDENCE

1. Mayor Kovach received a letter from Senator Michael Doherty's office thanking the Town of Clinton for a copy of our Resolution #56-19 supporting the 9-1-1 fees that are paid by the public be used to support county and local 9-1-1 centers.

2. Information will be in the municipal clerk's office about the New Jersey Shares program if anyone is interested. Their mission is to serve as a safety net for households that face an unexpected emergency or crisis situation and are not eligible for other forms of assistance.
3. A letter was received from NJ Department of Transportation (DOT) stating that they were unable to provide a Municipal Aid grant for the Union Road-Section 2 Improvement Project for 2019. DOT encourages us to apply for the upcoming Fiscal Year 2020 Municipal Aid Program.
4. The Arbor Day foundation sent the Town a letter congratulating Clinton on earning recognition as a 2018 Tree City USA. Residents of Clinton should be proud to live in a community that makes the planting and care of trees a priority.
5. Community of Hope is having their 18th Annual Veterans Flag Day 5K run and Fun Walk on June 13, 2019 at the Lyons VA Campus in Bernards Township. Information will be in the clerk's office if anyone is interested in participating.

REPORTS FROM COUNCIL & TOWN OFFICIALS

Councilwoman Johnson

1. The Clinton Public School Board of Education right now has more than 45 students enrolling for next year's kindergarten class. It is the largest class in years. The Board is considering the possibility of having three classes instead of two.
2. Local government week wrapped up with the "kindness rocks" rock painting event. Look around Town and if you find a rock, read the message and re hide it. Spread the kindness around Clinton and around the world.
3. The Board of Recreation is going to redesign the playground at the Community Center. The resolution will be submitted for next council meeting and the Board will start to apply for the grant.
4. Next year, 2020, the Town of Clinton summer recreation program will be a full day program. The Clinton Public School has agreed. The enrollment has been down the past years and hopefully this will be an incentive to increase it.
5. The annual senior luncheon is scheduled for May 5, 2019.
6. The town picnic is scheduled for June 8, 2019. Volunteers are needed for all stations such as popcorn, cotton candy, inflatables, etc. Please reach out to the recreation department to sign up.

Councilman Humphrey

1. Mr. Humphrey received an application for junior membership to the Clinton Fire Department from Bryan Hucke, 11 Ramsey Road, Lebanon.
A motion was made by Mr. Smith, seconded by Ms. Dineen to accept the application for membership.

Vote all ayes
Motion carried

2. Communications Committee met Wednesday, April 10, 2019. They moved to another vendor for the newsletter and are very close to approval. Hopefully by the next council meeting the committee will have a resolution for Mayor and Council. They also are getting close to determining a new web site vendor with a new design and also a new e-mail system for the Town.

Councilman Smith

1. The water committee had a meeting where information went out through the e-mail notice system to let the residents know about the West Main Street Water Main and Sidewalk Replacement project to be done in from of the Clinton House down to the Red Mill Museum. The project will take place over a period of a month. There will be a lot of traffic issues. Also another notice will be going out the end of summer about the water main replacement for the remainder of West Main Street. That project will definitely cause major traffic problems not only for the people living on West Main Street but also for the residents on the west side of town trying to come in and out. Also the Department of Transportation requires all work that is done on their roads to be done at night however the water committee would like them to change that for this project. The noise at night will be too much for the residents on West Main Street. There is about 30” of concrete the contractor will have to get through with jack hammers. The noise will be tremendous. There will be plenty of signage around town and along the entrances in and out of town when the project starts.

Mayor Kovach said that Halstead Street is an emergency route right now and asked Sergeant Kubinak how can it temporarily not be an emergency route during this project. Sergeant Kubinak responded by saying DOT needs to make that decision.

Councilwoman Karsh

1. The Clinton Guild is having a “Girls Night Out” on May 9, 2019.
2. The Max Challenge event concluded last week. Ms. Karsh was not there but Mayor Kovach was. Mayor Kovach said it had a very nice turnout and went very well.
3. The Clinton Guild is also putting out an e-mail blast to the businesses about the water main project that Councilman Smith spoke of.
4. Economic Development Committee submitted the grant request for assistance with the cost of the overhaul the Town website.
5. The Communication Committee is putting together an outreach program for all the businesses in Town. Anyone interested in participating let her know. Mr. Humphrey said the new newsletter vendor is asking for a letter to go out to all the business when it gets up and running for them to put ads in it. Ms. Karsh will absolutely help in that matter.

Councilwoman Dineen

1. Arbor Day is officially this Friday, April 26 but the Town celebrated it on April 17, 2019 due to the spring recess for Clinton Public School. It was well attended.
2. The Shade Tree Commission will do their annual “walk about” this Thursday at 5:00pm. They will walk around town and create a list of trees that need removal, trimming, or pruning. The Commission will determine what they can do given their budget. They will then come up with their maintenance plan for the rest of the year.
3. The Land Use Board’s next meeting is May 7, 2019.
4. Building and Grounds will meet on May 6, 2019.

Councilwoman Intrabartola

1. The Historic Commission did not meet so nothing to report. The historic walk though was a huge success.

Mr. Walter Wilson, owner of 19 West Main Street, wanted to thank Mayor and Council for letting the Special Olympics use the Community Center for their basketball practice. Special Olympics had three county basketball teams. Two of the teams made it all the way to state finals. Mr. Wilson was very grateful.

Mr. Wilson also mentioned the water main replacement project which is going on in his area where he lives in Clinton Township, Heather Hill Way. All is going well. He said the main part of the replacement went great. It was easy to get in and out of his street.

Mr. Wilson commented on the Department of Environmental Protection C1 expansion that was mentioned earlier in the meeting. There is great development along rivers and streams. Without the regulations Clinton would not be here. Changing the reclassification under this C1 plan would hinder development in the future drastically. You do not disregard the environment. He agrees with the Mayor's comments from earlier that this reclassification would take away opportunities for river towns. Mayor Kovach recommends as a property owner for Mr. Wilson to send a letter to DEP as well. Mr. Wilson said he definitely will.

PROVAL OF STANDBY AND OVERTIME

A motion was made by Ms. Johnson, seconded by Ms. Intrabartola, to approve the standby and overtime pay attached to these minutes for April 5, 2019 through April 18, 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 Mr. Smith, 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 73-19 – EXECUTIVE SESSION

A motion was made by Ms. Dineen, seconded by Ms. Johnson to enter into Executive Session to discuss a matter of Contract Negotiations and Litigation at 8:26pm, action will be taken upon returning to regular meeting:

RESOLUTION #73-19 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.

A motion was made by Mr. Smith, seconded by Mr. Humphrey to come out of Executive Session at 8:56pm at which time the following resolution was presented.

Vote all ayes
Motion carried

RESOLUTION # 73-19 – PBA LOCAL 188 AGREEMENT

A motion was made by Mr. Humphrey, seconded by Ms. Karsh to adopt Resolution #73-19 as submitted:

RESOLUTION #73-19
RESOLUTION APPROVING MEMORANDUM OF AGREEMENT BETWEEN
THE TOWN OF CLINTON AND THE P.B.A. LOCAL 188

WHEREAS, the PBA Local 188 (“PBA”) had a Collective Bargaining Agreement in place which expired on December 31, 2017; and

WHEREAS, the Town of Clinton and PBA have engaged in numerous collective negotiations, as well as mediation for a successor agreement; and

WHEREAS, the PBA has informed the Town in writing on April 19, 2019 that its members have ratified the terms and conditions of the Memorandum of Understanding (MOU) that were agreed upon at the April 18, 2019 mediation session.

NOW THEREFORE BE IT RESOLVED, the Mayor and Council of the Town of Clinton do hereby ratify the MOU between the Town and the PBA in accordance with the attached Agreement.

BE IT FURTHER RESOLVED that the Town Administrator and Town Labor Attorney work collectively with the PBA Attorney to create a final Agreement that is reflective of all the previously agreed-upon items based on the approved MOU.

BE IT FURTHER RESOLVED the Mayor is hereby authorized to execute the finalized Collective Bargaining Agreement between the Town of Clinton and PBA Local 188.

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

Vote all ayes
Motion carried

ADJOURNMENT: There being no further business, a motion was made by Ms. Johnson, seconded by Ms. Intrabartola to adjourn the meeting at 8:58 P.M.

Vote all ayes
Motion carried

Nancy A. Burgess, Deputy Clerk

Mayor Janice Kovach