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Mayor Kovach called the meeting to order at 7:00 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 #40-19 – EXECUTIVE SESSION

A motion was made by Ms. Karsh, seconded by Mr. Humphrey, to enter into Executive Session at 7:03 p.m. to discuss Affordable Housing.

RESOLUTION #40-19

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;

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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.)

X 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.

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Vote all ayes

Motion carried

Council came out of Executive Session in order to begin the Regular Council Meeting at 7:30 p.m.

APPROVAL OF COUNCIL MINUTES

A motion was made by Mr. Smith seconded by Ms. Johnson to approve the minutes of December 11, 2018 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 December 11, 2018 as submitted.

Vote all ayes
Motion carried

APPROVAL OF SPECIAL COUNCIL MINUTES

A motion was made by Ms. Karsh seconded by Mr. Smith to approve the minutes of December 20, 2018 as submitted.

Vote all ayes
Abstention (Johnson, Intrabartola)
Motion carried

APPROVAL OF MONTHLY REPORTS – DECEMBER

A motion was made by Mr. Smith seconded by Ms. Johnson, to approve the monthly reports for the month of December as submitted:

Administrator's Report, Clerk's Account, Construction Control/ Inspection Report, Cat & Dog Licensing, Police Report, Sewer Collector's Report, Tax Collector's Report, Water Collector's Report, Zoning Officer Report.

Vote all ayes
Motion carried

BANNER REQUEST

A banner request has been submitted by the Hunterdon County North Branch of the library for New Jersey Makers Day to be held March 23, 2019. Display dates for the banner will be March 18 through March 25. A motion was made by Ms. Karsh, seconded by Ms. Dineen to approve the request.

Vote all ayes
Motion carried

A banner request has been submitted by the Hunterdon Art Museum to display a banner promoting HAM it UP! Event date is February 10, banner dates will be January 28 through February 11, 2019. A motion was made by Mr. Smith seconded by Ms. Karsh to approve the request.

Vote all ayes
Motion carried

PUBLIC COMMENTS – NONE

PROCLAMATION – CLINTON GUILD

Members of the Clinton Guild attended this evening to accept a proclamation and a Key to the City by Mayor and Council. Mayor Kovach welcomed Marjorie Nathanson, Hunterdon Art Museum; Chris

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Knoll, owner of Martin Funeral Parlor; Chris Butler, ReMax, Main Street; Mary Kaylor and daughter Annie Rossi, Addicted Jeans; Paul Muir, Executive Director of the Red Mill Museum Village and President of the Guild, Carol Beder owner of Heartstrings and originator of the Clinton Guild and husband Craig Reuter of Main Street Communications; Heather Holzworth of NJ Media (Hunterdon Review) and Ross Traphagen, Guild marketing. It was a nice turnout! The Guild was recognized for working long hours to promote the Town's business community, planning and decorating to create the All-American hometown for all who live in and visitors alike!

MAYOR'S COMMENTS & CORRESPONDENCE

1. The New Jersey Conference of Mayor 2019 Winter Summit will be held January 31, 2019 at the Masonic Temple in Trenton.
2. In accordance with federal and state law, Elizabethtown Gas sent out notification regarding safety information. www.elizabethtowngas.com/safety
3. Clinton Public School, Project Child Find, flier posted in Town Hall.
4. Resident, E. Patrick McGuire sent a letter addressing the accident on Route 78 that occurred December 21, 2018. The accident created total blockage of Town roads and Mr. McGuire felt that more can be done to avoid "hazardous conditions" in the Town. Chief Matheis presented the NJDOT traffic plan and explained that the Town Police Department cannot control traffic with a diversion plan and there are no other feasible alternate routes. Mayor Kovach asked Chief Matheis to prepare a newsletter article explaining the Town's position and advising residents there is a large binder prepared by NJDOT for anyone interested in seeing it.

REPORTS FROM COUNCIL

Councilwoman Johnson

1. Board of Recreation – Annual bonfire will be held January 19, 2019 at 6:00 p.m. at Hunts Mill Park. Rain date is January 26, 2019. Volunteers are needed!

Councilman Humphrey

1. Clinton Fire Department – reported 305 calls for 2018.

Councilman Smith

1. Water Committee – Kevin Hallinger completed Distribution W1 and Water Treatment T1 licenses. Employee policy has incentive for employees to further themselves by giving a \$.25 increase for each license. Therefore, Mr. Smith made a motion Mr. Hallinger receive the increase from the date he received his licenses, December 10, 2018 seconded by Ms. Dineen.

Vote all ayes
Motion carried

2. Rescue Squad – total responses for 2018 was 3,608, a 17% increase over 2017. The Squad has applied for two grants at this time.
3. Roads – Bids will be going out in the Spring for the West Main Street Pedestrian Improvement project in front of the Clinton House.

The Town is getting involved with outfall pipe mapping, which is a precursor for the State coming in for a new tax for outlets. We have already begun with mandates such as street sweeping, this is the next phase. Expect by 2021, this will be mandatory.

Committee continues to discuss speed bumps versus humps. Cost is approximately \$30,000 for permanent bumps. The humps are currently temporary and ruining the streets with the bolts being used.

The Committee is reviewing the sidewalk ordinance and Mr. Phelan will be providing clarification from Attorney Cushing as to maintenance and repair responsibility, Town or property owner.

Capital improvements budget talks continue to discuss road improvements for Helen, Hancock, Hunts Mill, and Riverside Drive which need to be done. These roads are “no outlet roads” so the town would have to introduce an ordinance for funding the repairs.

The Environmental Commission is requesting electric car charging stations be installed. The Environmental Commission is being asked to search out information from neighboring towns.

Councilwoman Karsh

1. The Clinton Guild will be having their meeting Wednesday, January 9, 2019. They are planning many new events and will report back at the next meeting.
2. Economic Development Committee meeting Wednesday, January 9 in the evening.

Councilwoman Dineen

1. Shade Tree Commission will be meeting next week.
2. Land Use Board meeting January 15 for re-organization at 7:00 p.m. with their regular meeting to follow.
3. Buildings and Grounds – upgrades to the HVAC have been completed.
ADA ramp at the rear of the municipal building scheduled for the Spring.
Complaints that residents of East Main Street are using the public receptacles for household garbage.
Mr. Phelan will look into this matter.
4. 2019 will have a new structured schedule for leaf clean up with zones identified like brush clean up. Residents are encouraged to sign up for alerts on the website, which will notify residents of clean up dates.

The Committee was asked to investigate solar panels to be erected on Town property. Mr. Humphrey explained that New Jersey will fund renewal energy activities. This proposal is to discuss if there is a place to consider. The State Historic Preservation Commission will not allow solar panels on historic buildings. The thought was to possibly consider Hunts Mill Park, Water Street parking lot or other such places. Flood zones are not a viable solution. A lengthy conversation took place. Mr. Smith said the discussion has been explored previously and Mayor Kovach asked that the report made a few years ago be reviewed. A suggestion was also to ask Allison Witt, zoning officer, for her input.

At the last Council meeting a draft facility usage form was presented for discussion. Insurance and policy thoughts need to be explored in depth. Question as to who would review the forms once

received and who would follow up on them. Having an adult supervise when adolescents use the community center was addressed. Mr. Cushing suggested the committee consider these thoughts. The clerk will ask surrounding municipalities for samples of their forms, requirements and fees. Audience comment, Walter Wilson explained how Special Olympics provide certificate of insurance and pay \$25.00 for 4 ½ hours each Saturday at the South Ridge Community Church.

Councilwoman Intrabartola

1. Board of Health – holding their joint annual rabies clinic on Saturday, January 26, 2019, 8:00 a.m. to 11:00 a.m. in the municipal barn.

STANDBY AND OVERTIME

A motion was made by Ms. Johnson, seconded by Ms. Karsh to approve the standby and overtime submitted for the period of November 30 through December 13, 2018 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 Ms. Intrabartola, seconded by Mr. Humphrey to approve the standby and overtime submitted for the period of December 14 through December 27, 2018 attached to these minutes.

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

Vote all ayes
Motion carried

RESOLUTION #41-19 – EXECUTIVE SESSION

A motion was made by Ms. Karsh, seconded by Ms. Dineen, to enter into Executive Session at 8:31 p.m. to discuss a matter of Sewer Litigation.

RESOLUTION #41-19

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*:

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_____ 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);

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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 8:45 p.m. and there being no further business, a motion was made by Ms. Karsh seconded by Mr. Smith to adjourn the meeting at 8:46 p.m.

Cecilia Covino, RMC/CMC, Municipal Clerk

Mayor Janice Kovach