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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 January 1, 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 January 8, 2019 as submitted.

Vote all ayes
1 Abstention (Intrabartola)
Motion carried

APPROVAL OF COUNCIL MINUTES

A motion was made by Ms. Johnson seconded by Mr. Humphrey, to approve the minutes of January 8, 2019 as submitted.

Vote all ayes
Motion carried

APPROVAL OF EXECUTIVE MINUTES

A motion was made by Mr. Smith, seconded by Ms. Johnson to approve the executive session minutes of January 8, 2019 as submitted.

Vote all ayes
Motion carried

APPROVAL OF MONTHLY REPORTS – DECEMBER

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

Vote all ayes
Motion carried

PUBLIC COMMENTS – NONE

MAYOR’S COMMENTS

1. Paul Klitsch, Superintendent of the Waste Water Treatment Plant will be retiring April 1, 2019. At the time of this writing, Paul has been with the Town 39 years, 10 months and several days! A motion was made by Mr. Smith, seconded by Ms. Karsh, to accept Paul’s retirement with deep regrets.

Vote all ayes
Motion carried

2. Meals on Wheels in Hunterdon has sent out an invitation to elected officials to participate in the 17th Annual March for Meals campaign. March 18 – 22, 2019 for anyone interested, please contact Clerk Covino.
3. 27th Annual Mayor’s Legislative Day, Friday, April 5, 2019 in Trenton. Mayor Kovach and Councilwoman Johnson to attend.
4. A Citizen Involvement form was received from former councilwoman, Beth Sosidka, to become a Board of Health member. A motion was made by Ms. Intrabartola, seconded by Ms. Dineen, to appoint Ms. Sosidka to the Board.

Vote all ayes
Motion carried

RESOLUTION #42-19 – AWARD OF CONTRACT FOR WEST MAIN STREET – PHASE 1 WATER MAIN REPLACEMENT

A motion was made by Mr. Smith, seconded by Ms. Johnson, to adopt Resolution #42-19 as submitted:

RESOLUTION #42-19

RESOLUTION TO AWARD CONTRACT FOR

WEST MAIN STREET – PHASE I WATER MAIN REPLACEMENT

WHEREAS, the Town of Clinton (“Town”) received and opened bids for the West Main Street – Phase I Water Main replacement project on December 3, 2018 pursuant to the authority of N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the following bids were received;

West Main Street – Phase I – Water Main Replacement

Montana Construction	\$160,764.00
John Garcia Construction	\$170,408.05
Regal Utility Service	\$176,321.75
TOMCO	\$185,943.50
Your Way Construction	\$197,199.16
MSP Construction	\$301,465.00

WHEREAS, after review by the Purchasing Agent and the Town Attorney, Montana Construction has been determined to be the lowest responsible bidder; and

WHEREAS, a certificate of available funding has been presented;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Clinton, County of Hunterdon, State of New Jersey, that a contract is hereby awarded to Montana Construction, in the amount of \$160,764.00 for the West Main Street – Phase I Water Main replacement project, and that the Mayor and Town Clerk of the Town of Clinton are hereby authorized, respectively, to execute and attest to an agreement with Montana Construction, pursuant to bid specifications.

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

Vote all ayes
Motion carried

RESOLUTION #43-19 – AWARD OF CONTRACT FOR GLEN EAGLES DRIVE WATER MAIN REPLACEMENT PROJECT

A motion was made by Mr. Smith, seconded by Ms. Karsh to adopt Resolution #43-19 as submitted:

RESOLUTION #43-19

**RESOLUTION TO AWARD CONTRACT FOR GLEN EAGLES DRIVE
WATER MAIN REPLACEMENT PROJECT**

WHEREAS, the Town of Clinton (“Town”) received and opened bids for the Glen Eagles Drive Water Main replacement project on December 3, 2018 pursuant to the authority of N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the following bids were received;

Glen Eagles Drive Water Main Replacement Project

Penn Bower	\$588,450.00
JTG Construction, Inc.	\$595,440.00
MSP Construction Corp.	\$609,090.00
TOMCO	\$623,349.10
Vollers	\$669,777.00
Montana Construction	\$689,090.05
Regal Utility Service	\$693,461.21
John Garcia Construction	\$694,829.05
Roman E&G Corp.	\$729,965.00
PACT One, LLC	\$963,730.00
GMP Contracting	\$1,351,320.00

WHEREAS, after review by the Purchasing Agent and the Town Attorney, Penn Bower has been determined to be the lowest responsible bidder; and

WHEREAS, a certificate of available funding has been presented;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Clinton, County of Hunterdon, State of New Jersey, that a contract is hereby awarded to Penn Bower, in the amount of \$588,450.00 for the Glen Eagles Drive Water Main project, and that the Mayor and Town

Clerk of the Town of Clinton are hereby authorized, respectively, to execute and attest to an agreement with Penn Bower, pursuant to bid specifications.

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

Vote all ayes
Motion carried

RESOLUTION #44-19 - HIRING OF MATTHEW LONGO

Mr. Smith asked for an amendment to the resolution submitted saying the Water Department was not involved with making a recommendation for hiring and asked that Water Department be removed from the resolution. A motion was made by Mr. Smith, seconded by Ms. Johnson, to accept the resolution as amended and thereby hiring Matthew Longo as stated.

RESOLUTION # 44-19

WHEREAS, the Town of Clinton Water Utility and Department of Public Works requires the hiring of one new laborer, and;

WHEREAS, the position was advertised for, applications accepted and interviews performed, and;

WHEREAS, the Public Works/Business Administrator recommended that the following person be hired to fill the open position at a rate of \$18.40 per hour;

Matthew Longo

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Clinton hire Matthew Longo to fill the open position at the Town of Clinton Water Utility and Department of Public Works effective February 7, 2019.

Vote all ayes
Motion carried

BANNER REQUEST

A banner request has been submitted by Immaculate Conception Church for the 18th Annual Parish Festival to be held June 19 through June 23, 2019. The dates requested for the banner are June 10 through 24. A motion was made by Ms. Dineen, seconded by Ms. Karsh to approve the request. However, if there is another request for the week June 10 to 17, Immaculate will give up the first week.

Vote all ayes
Motion carried

CORRESPONDENCE - NONE

REPORTS FROM COUNCIL

R. Phelan, Business Administrator

Mr. Phelan explained that the Town went out for bid 2 years ago for third party bids for energy aggregation, and the rates are expiring in two months. The Town will be going out for bid on February 12 and Mr. Phelan will have the numbers available for Council that evening at the regular council meeting to make a decision. This will be for municipal owned properties only.

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Kathy Olsen, CFO

Mayor Kovach asked Ms. Olsen how the new computer program is working, noticing the checks have been issued. Ms. Olsen said it has been a slow process but it is moving along. Ms. Olsen asked committee liaisons to get budget information to her as soon as possible.

Councilwoman Johnson

1. Board of Recreation – Rosemary Pendergast, Chair; Sean Rogan, Vice Chair; Nancy Smith, Secretary. Senior luncheon scheduled for May 5, 2019 at 12:30 p.m. at the Clinton Fire Hall. Invitations will go out closer to the date. The Committee discussed adding some new activities and fund raisers and considered sending a survey to resident asking for feedback as to what folks like and would like to see. The Bonfire was postponed January 19 and has been rescheduled for this Saturday, January 26, 2019 at 6:00 p.m.

The committee addressed the Town Picnic, June 8 and the banner request for displaying the banner May 25 through June 8. A motion was made by Ms. Intrabartola seconded by Ms. Dineen to grant the request.

Vote all ayes
Motion carried

The committee also received a Citizen Involvement application from Mary Fran Daley. A motion was made by Ms. Karsh, seconded by Mr. Humphrey, to appoint Ms. Daley as recommended.

Vote all ayes
Motion carried

Ms. Johnson brought up a topic for discussion. The owner of the horse and carriage were concerned that they did not have the limit of insurance being requested by the Town. Ms. Johnson asked that we contact our insurance company to clarify what is needed. In the meantime, Ms. Johnson asked that Council approve the current insurance being provided for this weekend's bonfire and a waiver to the higher insurance requirements at this time. A motion was made by Mr. Smith, seconded by Ms. Dineen, to approve the request.

Vote all ayes
Motion carried

Mr. Phelan will contact Caroline Conboy, Insurance Advisor, to schedule a council meeting to attend and discuss insurance requirements.

Councilman Humphrey

1. Clinton Fire Department – A junior membership application has been received from Jeffrey Hedden, 12 Hunts Mill Road. A motion to accept Mr. Hedden as a junior member was made by Ms. Dineen, seconded by Ms. Karsh.

Vote all ayes
Motion carried

The fire department is also looking into an ordinance for reimbursement for non-residential false alarm calls. Ordinance is being reviewed and may be possible for introduction at the next meeting.

2. Newsletter Committee met on January 19 and discussed re-doing the website to be more functional and basic exploratory review looking at self-funding the newsletter.

3. Environmental Commission met January 15 and discussed an interesting project of map overlays. Maps are available on the State site but this enhanced process would allow property owners to view environmental issues on their own property.
4. Mr. Phelan is looking into pricing charging stations that were addressed at a recent council meeting.

Tara St. Angelo, Esq.

Affordable Housing – moving forward with the process with the court. The court has approved the settlement agreement. Next step will be getting a plan adopted, redevelopment plans in place and ordinances. Attorney St. Angelo will prepare a timeline for council for the next meeting and guidelines to meet all deadlines.

Councilman Smith

1. Water Committee – Funding has been approved and two resolutions adopted earlier this evening, #42-19 and #43-19 for the Water Main Replacement projects; Glen Eagles Drive project and the West Main Street Phase I Water Main Replacement project. Due diligence must be taken to notify all tax payers when the West Main Street project will begin, which will probably be in the spring. There will be some inconvenience to all travelers, not only residents living on the west end of town.

Councilwoman Karsh

1. Clinton Guild - Hosting Sweethearts Week February 7 through the 14. Contest will be held that week. “Feb-brew-uary” is a new event in connection with the local coffee shops is in the works. Guild holding meeting tomorrow evening, January 23 at 6pm. Open to the public and election of officers on the agenda. Music again this summer and working with the Chamber, lots of exciting events being planned.
2. Economic Development Committee interested in website updating and will be working with Mr. Humphrey and Ms. Intrabartola. A new member on the committee is researching other Economic Development Committee’s websites that already exist, and attempting to make our website more business and consumer friendly. Also looking into potential grant opportunities through the Highlands and Hunterdon County Economic Development Committee.

The Town is also participating in the Mayor’s Wellness Campaign for 2019. The Economic Development Committee is spearheading the campaign, however, other groups, commissions and committees may be interested in joining the group and the EDC is seeking input from others that are interested in participating. A link will be posted on the website.

Councilwoman Dineen

1. Land Use Board – held re-organization meeting on January 15 at 7:00 p.m. followed by their regular Land Use Board Meeting. Craig Sailer is Chairman and Steve Feldmann is Vice Chairman. The board is working on their 10 year reexamination of the Master Plan and there will be a more in depth overhaul of the Master Plan in 2019. Citizens who are interested in getting involved are asked to keep tabs on the agenda and are welcome to attend meetings. Committees are being formed for different topics and will be broken down into “pieces” for discussions. Ms. Johnson asked that e-blasts be sent out as to topics for anyone interested in learning more. Interested residents should also contact Allison Witt, Zoning Administrator, for additional information.
2. Shade Tree – Committee reviewing 5 year plan which is due in February. Meetings will be held the 3rd Thursday of the month in the conference room.

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Councilwoman Intrabartola

1. Historic Commission – held their meeting January 16 and discussed the Clinton Town walking tour for the County’s 305 year celebration.

STANDBY AND OVERTIME

A motion was made by Mr. Smith, seconded by Ms. Dineen, to approve the standby and overtime submitted for the period of December 28, 2018 through January 10, 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. Johnson, seconded by Ms. Dineen, to approve the bill list attached to these minutes as submitted.

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

Vote all ayes
Motion carried

RESOLUTION #45-19 – EXECUTIVE SESSION

A motion was made by Ms. Dineen, seconded by Ms. Johnson, to enter into Executive Session at 8:00 p.m. to discuss a matter of Sewer Litigation.

RESOLUTION #45-19

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 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.;

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____ 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 9:08 p.m. and there being no further business, a motion was made by Ms. Dineen seconded by Mr. Humphrey to adjourn the meeting at 9:09 p.m.

Cecilia Covino, RMC/CMC, Municipal Clerk

Mayor Janice Kovach