

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. Dineen, seconded by Ms. Karsh, to approve the minutes of May 14, 2019 as submitted.

Vote all ayes
Motion carried

PUBLIC COMMENTS – NONE

MAYOR’S COMMENTS

1. A request was received from Matthew Kravetsky, Clinton BSA Troop 121, asking for a waiver of the \$42 fire safety permit for the Flag Day retirement ceremony, June 14, 2019. A motion was made by Mr. Smith seconded by Ms. Dineen, to grant the waiver.

Vote all ayes
Motion carried

2. The 2018 United Way Community Impact Report is available for review in the clerk’s office.

3. Mark, owner of Citispot, will be filming his next documentary at the site of the Music Hall on West Main Street with Mayor Kovach, Walt Dorf, Fire Chief and Jeff Hedden, Deputy Chief, Wednesday evening, May 29 at 6:30 p.m.

4. Mayor Kovach suggested that the second meeting of the summer months, June, July and August, be held in the morning to pay bills as long as a quorum can be formed.

PROCLAMATION - NATIONAL GUN VIOLENCE AWARENESS

Mayor Kovach read the proclamation aloud to all in attendance representing the Hunterdon County Group of Moms Demand Action for Gun Sense in America. Friday, June 7, 2019 is “National Gun Violence Awareness Day” folks are encouraged to Wear Orange to raise awareness about gun violence and honor the lives of gun violence victims and survivors.

RESOLUTION #82-19 –LIQUOR LICENSE RENEWAL

A motion was made by Mr. Smith, seconded by Mr. Humphrey, to adopt Resolution #82-19 as submitted:

RESOLUTION #82-19

WHEREAS, the Town of Clinton Governing Body is in receipt of an Application for the renewal of PLENARY RETAIL CONSUMPTION LICENSE (HOTEL/MOTEL EXCEPTION), #1005-36-004-009 for:

A HUNTS MILL ASSOCIATES LLC

111 ROUTE 173

CLINTON, NEW JERSEY 08809

WHEREAS, the submitted application form is complete in all respects, fees have been paid and clearance has been received from the New Jersey Department of the Treasury;

NOW THEREFORE, BE IT RESOLVED, that the Town of Clinton Governing Body does hereby approve, effective July 1, 2019, renewal of the above captioned license for the 2019-2020 year and that a copy of this Resolution be forwarded to the Division of Alcoholic Beverage Control.

Vote all ayes
Motion carried

RESOLUTION #83-19 – HIRING OF SEASONAL EMPLOYEE

A motion was made by Ms. Johnson, seconded by Ms. Intrabartola, to adopt Resolution #83-19 as submitted:

RESOLUTION # 83-19

WHEREAS, the Town of Clinton Department of Public Works requires the hiring of a seasonal laborer, and;

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

WHEREAS, the Public Works/Business Administrator recommends that the following person be hired to fill the open position at a rate of \$12.00 per hour beginning on June 24, 2019;

Jeffrey Dysart

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Clinton hire Jeffrey Dysart to fill the open position at the Town of Clinton Department of Public Works.

Vote all ayes
Motion carried

RESOLUTION #84-19 – HIRING OF FULL TIME WATER/ROAD DEPARTMENT EMPLOYEE

A motion was made by Mr. Humphrey, seconded by Ms. Johnson, to adopt Resolution #84-19 as submitted:

RESOLUTION # 84-19

WHEREAS, the Town of Clinton Water/Road Department Utility requires the hiring of one full time replacement laborer, and;

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

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

Thomas Brown

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Clinton hire Thomas Brown to fill the open full time position at the Town of Clinton Water/Road Department effective June 17, 2019.

Vote all ayes
Motion carried

RESOLUTION #85-19 – NJIB SHORT TERM FINANCING

A motion was made by Mr. Smith, seconded by Ms. Johnson, to adopt Resolution #85-19 as submitted:

RESOLUTION # 85-19

RESOLUTION OF THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, DETERMINING THE FORM AND OTHER DETAILS OF ITS “NOTE RELATING TO THE CONSTRUCTION FINANCING LOAN PROGRAM OF THE NEW JERSEY INFRASTRUCTURE BANK”, TO BE ISSUED IN THE PRINCIPAL AMOUNT OF UP TO \$3,200,000, AND PROVIDING FOR THE ISSUANCE AND SALE OF SUCH NOTE TO THE NEW JERSEY INFRASTRUCTURE BANK, AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH NOTE BY THE TOWN IN FAVOR OF THE NEW JERSEY INFRASTRUCTURE BANK, ALL PURSUANT TO THE NEW JERSEY INFRASTRUCTURE BANK CONSTRUCTION FINANCING LOAN PROGRAM.

WHEREAS, the Town of Clinton, in the County of Hunterdon (the “Local Unit”), in the County of Hunterdon, New Jersey, has to undertake various improvements, including, but not limited to, the Town’s Water Meter Project, including all work and materials necessary therefor and incidental thereto (the “Project”), and it is the desire of the Local Unit to obtain financing for such Project through participation in the environmental infrastructure financing program (the “New Jersey Water Bank”) of the New Jersey Infrastructure Bank (the “I-Bank”);

WHEREAS, the Local Unit has determined to temporarily finance the undertaking of the Project prior to the closing with respect to the New Jersey Water Bank, and to undertake such temporary financing

with the proceeds of a short-term loan to be made by the I-Bank (the "Construction Loan") to the Local Unit, pursuant to the Construction Financing Loan Program of the I-Bank (the "Construction Financing Loan Program");

WHEREAS, in order to (i) evidence and secure the repayment obligation of the Local Unit to the I-Bank with respect to the Construction Loan and (ii) satisfy the requirements of the Construction Financing Loan Program, it is the desire of the Local Unit to issue and sell to the I-Bank the "Note Relating to the Construction Financing Loan Program of the New Jersey Infrastructure Bank" in an aggregate principal amount of up to \$3,200,000 (the "Note");

WHEREAS, it is the desire of the Local Unit to authorize, execute, attest and deliver the Note to the I-Bank pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), and other applicable law; and

WHEREAS, Section 28 of the Local Bond Law allows for the sale of the Note to the I-Bank, without any public offering, and N.J.S.A. 58:11B-9 allows for the sale of the Note to the I-Bank without any public offering, all under the terms and conditions set forth therein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Local Unit as follows:

Section 1. In accordance with Section 28 of the Local Bond Law and N.J.S.A. 58:11B-9, the Local Unit hereby authorizes the issuance, sale and award the Note in accordance with the provisions hereof. The obligation represented by the Note has been appropriated and authorized by various bond ordinance 18-07 finally adopted on July 10, 2018 at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions hereof, (i) the final principal amount of the Note (subject to the maximum limitation set forth in Section 4(a) hereof), and (ii) the dated date of the Note.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Note by the parties authorized pursuant to Section 4(h) hereof.

Section 4. The Local Unit hereby determines that certain terms of the Note shall be as follows:

- (a) the principal amount of the Note to be issued shall be an amount up to \$3,200,000;
- (b) the maturity of the Note shall be as determined by the I-Bank;
- (c) the interest rate of the Note shall be as determined by the I-Bank;
- (d) the purchase price for the Note shall be par;
- (e) the Note shall be subject to prepayment prior to its stated maturity in accordance with the terms and conditions of the Note;
- (f) the Note shall be issued in a single denomination and shall be numbered "CFP-2019-1";
- (g) the Note shall be issued in fully registered form and shall be payable to the registered owner thereof as to both principal and interest in lawful money of the United States of America; and
- (h) the Note shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

Section 5. The Note shall be substantially in the form on file with the Town Clerk.

Section 6. The law firm of McManimon, Scotland and Baumann, LLC is hereby authorized to arrange for the printing of the Note, which law firm may authorize McCarter & English, LLP, bond counsel to the I-Bank for the Construction Loan Financing Program, to arrange for same.

Section 7. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Secretary of the Local Unit, as applicable, in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit and after further consultation with the I-Bank and its representatives, agents, counsel and advisors, to be executed in connection with the issuance and sale of the Note and the participation of the Local Unit in the Construction Financing Loan Program, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery of the Note and the participation of the Local Unit in the Construction Financing Loan Program.

Section 8. This resolution shall take effect immediately.

Section 9. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to McManimon, Scotland & Baumann, LLC, bond counsel to the Local Unit, David Zimmer, Executive Director of the I-Bank, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-Bank.

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

Vote all ayes
Motion carried

RESOLUTION # 86-19 – ANIMAL CONTROL OFFICER

A motion was made by Mr. Smith, seconded by Mr. Humphrey, to adopt Resolution #86-19 as submitted:

**RESOLUTION # 86-19
ANIMAL CONTROL OFFICER**

WHEREAS, it is required by municipalities that a licensed and insured Animal Control Officer service the Town; and

WHEREAS, Laura Roerig, ACO, provides professional, humane and cost effective animal control services and employs certified staff members; and

WHEREAS, Ms. Roerig has vehicles equipped with professional and emergency supplies and are capable of handling all animal problems and emergencies; and

WHEREAS, the Clinton Police Department will be in charge of receiving all calls of stray animals and complaints and will be in direct contact with Ms. Roerig and

WHEREAS, Ms. Roerig will charge the Town a flat fee of \$300.00 per month with an additional \$100.00 charge assessed per call out; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Clinton, that Laura Roerig be retained as the Animal Control Officer for the Town of Clinton.

Vote all ayes
Motion carried

RESOLUTION #87-19 – COLLECTIVE BARGAINING AGREEMENT

A motion was made by Ms. Johnson, seconded by Ms. Karsh, to adopt Resolution #87-19 as submitted:

RESOLUTION # 87-19

RESOLUTION APPROVING COLLECTIVE BARGAINING 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 collective negotiations for a successor agreement; and

WHEREAS, on April 18, 2019, the Town of Clinton and PBA had executed a Memorandum of Understanding (MOU) as to the final terms and conditions in the Agreement, and

WHEREAS, the terms and conditions referenced in the MOU have been incorporated into a final contract document, to which the Town has received confirmation via e-mail from the PBA attorney on May 22, 2019 confirming their agreement with the final Agreement language.

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

BE IT FURTHER RESOLVED that 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

RESOLUTION #88-19 – 2018-2019 SALARY RESOLUTION

A motion was made by Ms. Johnson, seconded by Ms. Intrabartola, to adopt Resolution #88-19 as submitted:

RESOLUTION 88-19

2018-2019 SALARY RESOLUTION

BE IT ORDAINED by the Mayor and Town Council of the Town of Clinton in the County of Hunterdon and State of New Jersey as follows:

That the following position titles within the Town of Clinton in the County of Hunterdon, the respective salaries or compensation set forth below are hereby fixed as the maximum amounts to be paid for the year 2018 and 2019:

<u>POSITION</u>	<u>2018</u> <u>SALARY</u>	<u>2019</u> <u>SALARY</u>
Sergeant	110,813.26	113,029.52
Patrolman-First Class	101,663.54	103,696.81
Patrolman-Second Class	96,436.27	98,364.99
Patrolman-Third Class	91,208.96	93,033.14
Patrolman-Fourth Class	85,981.67	87,701.30
Patrolman-Fifth Class	80,754.36	82,369.45
Patrolman-Sixth Class	75,527.05	77,037.59
Patrolman-Seventh Class	70,299.75	71,705.74
Patrolman-Eighth Class	65,072.45	66,373.90
Patrolman-Ninth Class	59,845.14	61,042.05
Patrolman-Tenth Class	54,617.84	55,710.19
Patrolman-Eleventh Class	49,390.53	50,378.34
Recruit	44,163.24	45,046.50

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

Vote all ayes
Motion carried

DISCUSSION OF FACILITY USAGE FORM

An item on the agenda, the matter will not be discussed this evening. It will be postponed to the first meeting in July. Ms. Johnson will recommend members of the Board of Recreation to attend the council meeting, July 9, 2019 to participate in the discussion.

CORRESPONDENCE – NONE

REPORTS FROM COUNCIL

Councilwoman Johnson

1. Board of Recreation – the engineering firm did a walk through and began a mapping of the community center playground. Awaiting updates on the first stage of this project.

Councilman Humphrey

1. Environmental Commission - Raritan Headwaters conducted testing of runoff coming from Route 78.
2. Clinton Conservancy – DeMott Pond planting took place on Saturday, May 16, 2019. Beautiful weather helped make for a very successful day!
3. Green Team is seeking recertification from Sustainable New Jersey, a two stage process, they are applying for Bronze in 2019 and Gold in 2020.
4. Communications Committee – letters have been sent out to businesses regarding advertising in the newsletter. Ms. Karsh made the announcement to the Clinton Guild. Mr. Humphrey asked for council's approval to hold a Volunteer Fair at the Clinton Community Center on Wednesday, September 11 from 6 – 8 PM for governments and non-profits in Town looking for volunteers. Ms. Karsh asked is there would something for younger folks as she would like to have her 6 year old getting involved, which Ms. Johnson agreed! Mr. Humphrey said he is reaching out to North Hunterdon High School and will be reaching out to Clinton Public School as well. Council agreed the concept was great!

Councilman Smith

1. Rescue Squad – Mr. Smith presented the Emergency Medical Services Proclamation to the squad during the EMS Week of May 19 – 25, 2019.
2. Water Committee – getting estimates to repaint the 2M storage tank. System wide hydrant flushing is taking place, mainly during the night. Seeking pricing for assessment of the air stripper tower located behind the barn, namely Well 12R, and to include the analysis of the distribution tray.
3. Sewer Committee – designs continue for the upgrades to the residual building which will most likely take place in 2020.

Councilwoman Karsh

1. Clinton Guild – great kick off to Music on Main and the Towne Restaurant will now be staying open on Friday nights! The Town Wide Yard sale is Saturday, June 1 as well as the Red Mill will be holding the British Car Show on Saturday, June 1, 2019. The Art Museum hosting “Art on Tap” Sunday, June 2.

Mayor Kovach

This Friday will be the one year anniversary of Gene DeCleene's passing and the Towne Restaurant will be remembering him from 11:00 a.m. to 1:00 p.m.

Councilwoman Dineen

1. Land Use – June 4, 2019 will be hearing several zoning applications.

Councilwoman Intrabartola

1. Historic Commission met with Walter Wilson, a developer interested in the Agway and the former Music Hall sites to build apartments, town homes and retail. Mr. Wilson was asking for guidance to façade design. The Commission was pleased to work with Mr. Wilson. The Methodist Church on Halstead Street has plans for upgrades and elevator access to the back of the church, the commission reviewed their plans as well. 72-74 West Main Street is also applying to the Land Use Board but not until August or September and will be reviewing their plans. The Commission reviews plans and if comments are made, the liaison of the commission will take them to the Land Use Board for consideration.
2. Board of Recreation still needs volunteers for Saturday, June 8, rain date June 15, to help, especially the day after for cleaning up. The Senior Luncheon hosted 30 people, the commission is looking at ways to build interest for next year.

The Tennis program is being revisited and is considering partnership with other programs such as North Hunterdon tennis program. Not sure the program will take place this year.

Summer Rec program – Ms. Intrabartola was approved to speak with Dr. Seth Cohen of Clinton Public School and Tiffany Cinquemani, director of the program, to see if hours for 2020 program could be held at the school 7:30 a.m. to 6:00 p.m. Dr. Cohen and Ms. Cinquemani both agreed that would work and the school would be available. Next step is planning programs to keep the children interested and the staff budget to run it.

3. Communications Committee – voted to get contracts from two vendors, Civics Plus and Gov Office. Gov Office has submitted contact for review, they currently work for 40 municipalities. Waiting for Civics Plus’s contract, they currently work for 400 municipalities. If interested in seeing their work, check out the portfolio is Westfield, Wyckoff and South Orange.

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 May 3, 2019 through May 16, 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 # 89- 19 – EXECUTIVE SESSION

A motion was made by Mr. Humphrey seconded by Ms. Karsh, to enter into Executive Session at 7:55 p.m. to discuss a matter of litigation.

RESOLUTION # 89--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 8:14 p.m. and there being no further business, a motion was made by Ms. Johnson seconded by Ms. Dineen to adjourn the meeting at 8:15 p.m.

Cecilia Covino, RMC/CMC, Municipal Clerk

Mayor Janice Kovach