

Mayor Janice Kovach called the meeting to order at 7:30 p.m.

Flag Salute.

Roll Call: Present – Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, 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. Carberry, seconded by Mr. Smith, to approve the council meeting minutes of February 12, 2013 as submitted.

Vote all ayes
Motion carried

A motion was made by Mr. Carberry, seconded by Mr. Pendergast, to approve the executive session meeting minutes of February 12, 2013 as submitted.

Vote all ayes
Motion carried

A motion was made by Mr. Smith, seconded by Mr. Carberry, to approve the council meeting minutes of February 26, 2013 as submitted.

Vote all ayes
Motion carried

APPROVAL OF MONTHLY REPORTS – FEBRUARY

A motion was made by Mr. Smith, seconded by Mr. Carberry, to accept the Monthly Reports for the month of February as submitted: Administrator’s Report, Buildings and Grounds Foreman’s Report, Clerk’s Account, Cat & Dog Licensing Accounts, Construction Control/Inspection Report, Police Report, Road Foreman’s report, Sewer Collector’s Report, Water Collector’s Report, Treasurer’s Report- Temporary & Reserve Budget for January and February, Wastewater Treatment Plants Superintendent’s report, Zoning Officer report.

Vote all ayes
Motion carried

PUBLIC COMMENT

Mr. David Kurtick, 5 Busher Place, thanked Mayor Kovach for her assistance with some Comcast Cable issues that were happening in his neighborhood since October 2012. Comcast Cable replaced the main cable line between Hancock Street and Union Road. Representatives from Comcast Cable attended the

January 22, 2012 council meeting to address the issues. Mr. Kurtick was unable to attend that meeting. He expressed his appreciation for the Mayor's involvement.

Mr. Randy Dahme, owner of the Clinton Laundromat located at 46-48 Old Route 22, expressed his aggravation over the increase of the sewer rates from \$95.00/unit to \$115/unit starting 1st quarter of 2013. He is charged for 19 units for each quarter causing an increase of \$380 per quarter. His building has been there since 1984 and it is getting extremely hard to operate business with these increases. Mr. Dahme stated if he did not own the building he might have to close the business. Sewer rates were increased two years ago as well as water. Mr. Dahme suggested if it is possible for high volume users to be billed on a water use basis.

Mayor Kovach said she takes all comments into consideration and understands his concerns but the sewer committee has a responsibility to the Town's infrastructure and the increase was necessary. The increase hurts all of us. We all live in Town unfortunately it had to be done.

Councilman Pendergast explained that when the sewer rates were increased two years ago that was the first time in over ten years and before that it was decreased. If the rates were increased a little each time it would not be such a drastic increase for these past two increases.

Councilman Smith said the water department at one time did look into the idea of billing sewer off of water usage years ago. At that time the study was done billing per unit was the most economical way to go. Councilman Pendergast suggested maybe looking into that again in the future. It will be put on the next sewer agenda.

MAYOR'S COMMENTS

1. Mayor Kovach presented information on "Men In Heels Relay" to be held on May 18th. An event sponsored by Base Camp 31 in Clinton Township is having a program called Safe in Hunterdon. It is a program that serves victims of domestic violence and sexual assault. They are looking for teams. She asked if the men in the council would like to get a team together to participate or share the information. It would be great to have a men's team from the Town of Clinton. It is for a very good cause.

2. Mayor Kovach appointed Deera Roberts of 20 Pond Ridge Drive to serve on the Environmental Commission and Shade Tree Commission. Councilwoman Sosidka asked if there are limits to the number of members on each committee. Mayor Kovach said we would have to look at the ordinance to see how committees were set up but nothing to say it cannot be changed.

PUBLIC HEARING OF ORDINANCE #13-02 – AMENDMENT OF CHAPTER 64

Mayor Kovach explained this ordinance is to either have an animal control officer or working through the Hunterdon County.

A motion was made by Mr. Smith, seconded by Mr. Carberry to open the public hearing on Ordinance #13-02 as submitted:

ORDINANCE #13-02
AN ORDINANCE AMENDING ARTICLE 1 OF CHAPTER 64 OF THE
CODE OF THE TOWN OF CLINTON REGARDING DOGS

No comments made.

A motion was made by Mr. Smith, seconded by Mr. Pendergast to come out of public hearing on Chapter 64 of the Dog Ordinance #13-02.

Vote all ayes
Motion carried

A motion was made by Mr. Pendergast, seconded by Mr. Carberry to adopt Ordinance #13-02 on second reading as submitted.

ROLL CALL: Ayes: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

PUBLIC HEARING OF ORDINANCE #13-03– INCREASE WATER RATES

A motion was made by Mrs. Jones-Holt seconded by Mr. Carberry to open the public hearing on Ordinance #13-03 as submitted:

ORDINANCE #13-03

AN ORDINANCE AMENDING THE RATE SCHEDULE OF THE WATER DEPARTMENT OF THE TOWN OF CLINTON, COUNTY OF HUNTERDON, NEW JERSEY

Mr. David Kurtick, 5 Busher Place, asked which components are increasing, fixed charge and usage charge and by what percentage is it increasing.

Councilman Smith explained it increased by 4%. Both the fixed charge and the usage charge is increasing. One reason for the increase is due to a four year project to replace the water mains on Main Street in Lebanon. Some pipes have been in service for forty to sixty years. The project is necessary for public health and safety for the water system. The increase will also cover the cost of other various system improvements.

Mr. Randy Dahme, owner of Clinton Laundromat 46-48 Old Route 22, asked when the project is done will there be a reduction in the water rates. Also has the Town considered selling the water department for when the cost gets too high.

Councilman Smith explained the water department submits to the New Jersey Board of Public Utilities a portion of the revenue received. The water company needs to be maintained at a certain level with different state agencies requiring different regulations. The water department is nowhere near the point of privatizing.

Mayor Kovach said the State imposes new guidelines, upgrade systems to accommodate for example chlorination, fluoridation, etc. These factors are also what is taken into account when the decision was made to increase the water rates.

Councilman Shea responded that the Town of Clinton Water Department's rates are still substantially lower than the other water companies. It is not beneficial to the Town to sell the company.

A motion was made by Mr. Shea, seconded by Mr. Pendergast to come out of public hearing on Water Rate Ordinance #13-03.

A motion was made by Mr. Pendergast, seconded by Mr. Smith to adopt Ordinance #13-03 on second reading as submitted.

ROLL CALL: Ayes: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

PUBLIC HEARING OF ORDINANCE #13-04– PURCHASE OF WATER METERS

A motion was made by Mr. Carberry seconded by Mr. Pendergast to open the public hearing on Ordinance #13-04 as submitted:

ORDINANCE #13-04
BOND ORDINANCE PROVIDING FOR IMPROVEMENST TO THE WATER UTILITY
IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NJ,
APPROPRIATING \$1,500,000 BONDS OR NOTES OF THE TOWN
FOR FINANCING THE COST THEREOF

Mayor Kovach explained to the public that this ordinance is a bond for improvements to continue another project to change over the current meters to radio read meters. Instead of doing a portion at a time, discussion was made to replace all the meters at once. This will help the water department work more effectually and may help in reducing our unallocated water issue.

Mr. David Kurtiak, 5 Busher Place, asked what is the amount of our unallocated water and how does it compare to other water companies in the area. Also will the water restrictions be lifted when find the unallocated water. Water restrictions have been on going for many, many years.

Councilman Smith said there will be some major cost savings at the same time for this project. The readings will be able to be taken by driving by the residence instead of walking up to each place. The water department has an unallocated water percentage of 35%. The maximum allowed by the state is 15% to 20%. We are well over. This figure comes from the amount the wells are pumping and then compared to the billing consumption. The water department has physically walked all the lines to find leaks. A few were found and repaired. This project will capture water that is being used by residents but not registering on the old meter. Councilman Smith explained the unallocated water issue has some bearing on whether we have water restrictions but is not the main reason. NJ Department of Environment Protection mandates whether we have water restrictions. It is determined by a comparison between our water capacity for the water system and the amount the water department is pumping out. If the water department exceeded or near our water capacity the State puts us on water restrictions. We are in a water deficient area. It does not have to do with if we had a wet winter or spring. Also a new well is being built off of Route 31 and Moebus Place. Once this well is running it will allow the water department to repair other wells without disrupting the system.

Mr Randy Dahme, 46-48 Old Route 22, said he has removed the outside spikets on his building because people have been attaching a hose and using the water.

Councilman Shea responded that locks have been put on some hydrants to prevent contractors from taking water from them which would contribute towards the unallocated water. The water department is having all the fire departments report when they need to use a hydrant and for how long to determine the amount used.

Mr. Kurtiak asked out of the 35% lost does the council fell about 30% of it is do to old leaking infrastructure.

Councilman Pendergast responded that meters rarely read over, majority of the time the meter will read under.

Mr. Kurtiak thanked Mr. Smith for the explanation on the water restrictions.

A motion was made by Mr. Pendergast, seconded by Mr. Carberry to come out of public hearing on Purchase of Water Meters Ordinance #13-04.

A motion was made by Mr. Pendergast, seconded by Carberry to adopt Ordinance #13-04 on second reading as submitted.

ROLL CALL: Ayes: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

PUBLIC HEARING OF ORDINANCE #13-05 – GENERAL CAPITAL IMPROVEMENTS

A motion was made by Mr. Carberry seconded by Mr. Pendergast to open the public hearing on Ordinance #13-05 as submitted:

ORDINANCE #13-05
BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWN
OF CLINTON, IN THE COUNTY OF HUNTERD, NJ, APPROPRIATING THE AGGREGATE
AMOUNT OF \$400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$380,000 BONDS
OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

Mr. Richard Phelan, PW/BusAdm, explained the purpose of this ordinance if for improvements to the Municipal Facilities such as repairs to the pole barn allowing the public works department to store the seasonal vehicles inside. Also to be used for the acquisition of vehicles and equipment.

No comments made.

A motion was made by Mr. Smith, seconded by Mr. Pendergast to come out of public hearing on General Capital Improvements Ordinance #13-05.

A motion was made by Mr. Pendergast, seconded by Mrs. Jones-Holt to adopt Ordinance #13-05 on second reading as submitted.

ROLL CALL: Ayes: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

PUBLIC HEARING OF ORDINANCE #13-06 – AMENDMENTS TO PARKING ON CENTER STREET

A motion was made by Mr. Pendergast seconded by Mr. Carberry to open the public hearing on Ordinance #13-06 as submitted:

ORDINANCE #13-06

AN ORDINANCE OF THE TOWN OF CLINTON, COUNTY OF HUNTERDON AND STATE OF NJ, TO AMEND ARTICLE X, SCHEDULES SECTION 135-23 SCHEDULE 1: NO PARKING

Mayor Kovach explained this ordinance is to limit the amount of hours parking can be on Center Street, Georges Place, Fairveiw Avenue extending to New Street. Residents on these streets were complaining about the parking by out of state vehicles due to the Park and Ride down the street in Clinton Township. The Park and Ride which is not in the Towns jurisdiction gets filled by 6:30am therefore causing cars to park along the streets nearest to the Park and Ride.

Mr. Frank Gallagher, 31 Center Street, asked the council if they would consider issuing resident stickers to allow them to park there past the regulated hours for those homes that do not have parking.

Chief Brett Mathies stated the limited parking hours only goes down as far as New Street. Mr. Gallagher should not be affected by this. From the police's preliminary observations of the situation majority of the cars parking in that area were out of state cars.

Councilwoman Sosidka reported she received many comments from residents who have a problem with finding a parking space. Where will these residents be able to park who regularly take a bus from the Park and Ride into New York city. These residents have been parking on the streets because the park and ride lot is full.

Councilwoman Jones-Holt commented that she lives near there and have not seen any problem. But if the park and ride ever shuts down the streets will become a parking lot.

Councilman Pendergast said it is hard to accommodate everyone. The lot is in Clinton Township and was not a very good idea putting the lot there. There are many other places further out Route 78. He said there are other park and ride lots in the area that residents can look into.

Mayor Kovach said she reached out to Kevin _____ of Clinton Township and Ms. Tara Hart of the Department of Transportation to discuss the parking issue caused by the park and ride. We cannot regulate parking out of our jurisdiction. We do have parking in our Town and at this point in time this is all we can do for now.

A motion was made by Mr. Carberry, seconded by Mrs. Jones-Holt to come out of public hearing on No Parking Ordinance #13-06.

A motion was made by Mr. Pendergast, seconded by Mrs. Jones-Holt to adopt Ordinance #13-06 on second reading as submitted.

ROLL CALL: Ayes: Carberry, Jones-Holt, Pendergast, Shea, Smith, Mayor Kovach
Nays: Sodiska

Vote 6 Ayes
1Nay - Sosiska
Motion carried

RESOLUTION #65-13 – CHANGE ORDER – WATER STORAGE TANK REHAB

A resolution submitted for a change order to the Water Storage Tank Rehabilitation project.

A motion was made by Mr. Pendergast, seconded by Mr. Carberry to pass Resolution #65-13 as submitted:

RESOLUTION #65-13

**TOWN OF CLINTON
RESOLUTION # 65-13
CHANGE ORDER NO. 1**

WHEREAS, the need has arisen for a change order to the Water Storage Tank Rehabilitation project, and

WHEREAS, according to the Project Engineer, the existing tank manway has prevented the tank to be re-filled and recommends the removal and installation of a new shell manway, and

WHEREAS, the additional contract amount is \$32,200.00,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Clinton that Change Order Number 1 for the Water Storage Tank Rehabilitation project be approved.

ROLL CALL: Ayes: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote All Ayes
Motion carried

RESOLUTION #66-13 – SINGATURE AUTHORIZATION

Resolution held till next meeting cause it did not go to sewer committee first for review.

RESOLUTION #67-13 – NJDIT FINANCING PROGRAM

A resolution authorizing the Town to file an application the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust to replace the water main along Halstead Street.

A motion was made by Mr. Carberry seconded by Mr. Smith, to adopt Resolution #67-13 as submitted:

RESOLUTION #67-13

RESOLUTION AUTHORIZING APPLICATION FOR A LOAN FROM THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE FINANCING PROGRAM

WHEREAS, the Town of Clinton intends to file an application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for the replacement of the existing 8-inch and 4-inch water mains in Halstead and Water Streets, respectively, totaling 2,770 linear feet, with 12-inch and 8-inch diameter ductile iron pipe to provide safe and reliable water service.

Additionally, looping this portion of the water distribution system is proposed with the extension of the water main along Rt. 31 from the Halstead Street intersection traveling 1810 feet east to approximately 300 feet west of the Moebus Place intersection to provide a redundant water supply to the northern portion of the Clinton Water Department Service Area.

NOW, THEREFORE, BE IT RESOLVED that James Naples, Business Administrator be authorized to act as the Authorized Representative to represent the Town of Clinton in all matters relating to the project undertaken pursuant to the above referenced New Jersey Environmental Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. The Authorized Representative may be contacted at 43 Leigh Street, P.O. Box 5194, Clinton, New Jersey 08809, 908-735-8616.

ROLL CALL: Ayes: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #68-13 – CAPITAL IMPROVEMENT BOND

A motion was made by Mr. Shea, seconded by Mr. Pendergast, to adopt Resolution #68-13 as submitted:

RESOLUTION #68-13

WHEREAS, the Town of Clinton desires to constitute the 2013 Temporary General Capital Budget of said municipality by inserting therein the Vehicle Purchases, Pole Barn and Improvements to Municipal Building;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Clinton as follows:

Section 1. The 2013 Temporary General Capital Budget of the Town of Clinton is hereby constituted by the adoption of a schedule to read as follows:

Temporary General Capital Budget of the
Town of Clinton
County of Hunterdon, New Jersey

Projects Scheduled for 2013
Method of Financing

Vehicle Purchases, Pole Barn and Improvements to Municipal Building

Capital Improvement Bond
\$400,000.00

Section 2. The Municipal Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of these projects for 2013 Temporary General Capital Budget, to be included in the 2013 Permanent General Capital Budget as adopted.

ROLL CALL: Ayes: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #69-13 – METER REPLACE PROJECT AND ELECTRICAL UPGRADES

A motion was made by Mr. Smith, seconded by Mr. Pendergast, to adopt Resolution #69-13 as submitted:

RESOLUTION #69-13

WHEREAS, the Town of Clinton desires to constitute the 2013 Temporary Water Capital Budget of said municipality by inserting therein the Meter Replacement Project and Electrical Upgrade Project;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Clinton as follows:

Section 1. The 2013 Temporary Water Capital Budget of the Town of Clinton is hereby constituted by the adoption of a schedule to read as follows:

Temporary Water Capital Budget of the
Town of Clinton
County of Hunterdon, New Jersey

Projects Scheduled for 2013
Method of Financing

Meter Replacement Project and Electrical Upgrades

Capital Improvement Bond
\$1,500,000.00

Section 2. The Municipal Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of these projects for 2013 Temporary Water Capital Budget, to be included in the 2013 Permanent Water Capital Budget as adopted.

ROLL CALL: Ayes: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #70-13 – AWARD OF CONTRACT FOR SLUDGE REMOVAL

A motion was made by Mr. Carberry, seconded by Mr. Smith, to adopt Resolution #70-13 as submitted:

RESOLUTION #70-13

**RESOLUTION TO AWARD CONTRACT TO GARY W. GRAY TRUCKING, INC.
THE MAYOR AND COUNCIL OF THE TOWN OF CLINTON
COUNTY OF HUNTERDON STATE OF NEW JERSEY**

WHEREAS, the Town of Clinton did solicit bids for Sludge Removal and Delivery; and

WHEREAS, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and upon recommendation of the Town Sewer Engineer, Gary W. Gray Trucking, Inc. 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 Gary W. Gray Trucking, Inc., in the amount of \$295,000.00 for a five year contract for Sludge Removal and Delivery, and that the Mayor and Town Clerk of the Town of Clinton are hereby authorized, respectively, to execute and attest to an agreement with Gary W. Gray Trucking, pursuant to bid specifications, and subject to approval by the Town Attorney.

ROLL CALL: Ayes: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #71-13 – ALCOHOLIC BEVERAGE – RUN O'THE MILL

Mayor Kovach explained this is to allow consumption of alcohol at the Run O'The Mill 5K Run on public property. This is a special event that has already been approved and they have their licensing from the Alcohol Beverage Commission.

Councilman Smith asked why does the Town need to issue consumption of alcohol for special events. This event is to promote good health.

Mayor Kovach said this is part of the track club's program and the resolution should have been submitted at the time the special event application was submitted.

A motion was made by Mr. Carberry, seconded by Mrs. Sosidka, to adopt Resolution #71-13 as submitted:

RESOLUTION #71-13
ALCOHOLIC BEVERAGE – RUN O’ the MILL 5K RACE

WHEREAS, the Code of the Town of Clinton, Chapter 32, Section 7, prohibits consumption of alcoholic beverages in, on, or upon any public street, or land owned or occupied by any federal, state, county or municipal government, or as further explained in the Section 32-7 A through D; and

WHEREAS, alcoholic beverages may be consumed at occasions or events held by bona fide nonprofit organizations or other groups if specifically permitted by resolution of the Mayor and Council; and

THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Clinton, that the consumption of alcoholic beverages (beer) shall be permitted at the Clinton Community Center, 63 Halstead Street, during the Run O’the Mill 5k Race to be held March 16, 2013. The hours for consumption shall be Saturday, March 16th between the hours of 8:30 AM to 2:00PM.

Vote 5 Ayes
2 Nays – Smith, Jones-Holt
Motion carried

SPECIAL EVENT APPLICATION – INSURANCE AMENDMENTS - DISCUSSION

Councilwoman Jones-Holt recommended the entire special event application be redone to encompass all items involved in the event such as alcohol. The entire picture of the event should be on the application to make a good decision to allow the event.

Discussion took place about rewording the special event application to update the insurance requirements and change some of the language. Councilman Carberry went through the application due to his experience with insurance. Also Caroline Conboy of Brown & Brown Insurance made some revisions to make the application more user friendly. The updated application makes modifications to the guidelines for the insurance and gives the application more structure. Any part of the application can be appealed to the Town to be waived to suit the type of event. The insurance limits are standard amounts. Some applicants may already have their own insurance.

Councilman Shea said he did not want to see many of the current events held in Town that the residents enjoy each year to stop because of this. Most of the events held in Town the sponsors have their own insurance so should not be an issue. If an applicant does not have insurance, can the event still happen?

Councilman Carberry said the applicant can ask for a waiver by the council.

Council asked Walter Hetzel, Guild President, if the Guild had their own insurance. Mr. Hetzel responded yes. The Guild has the amount required.

Chief Brett Mathies reminded the council they can only regulate public property events not private properties such as the Red Mill Museum.

Councilwoman Sosisdka recommended taking out the sentence in section I “No two major events will be scheduled on the same day nor on back-to-back weekends.

Councilman Smith complimented Councilman Carberry for his time and effort on revamping the special event application.

Councilman Pendergast recommended when the final application is completed a copy should be sent to Caroline Conboy at Brown & Brown for her review.

Councilwoman Jones-Holt offered to assist in preparing the final version from a special events perspective.

Mayor Kovach requested the final version be put on the agenda of another council meeting to be voted upon.

CORRESPONDENCE - NONE

REPORTS FROM COUNCIL & TOWN OFFICIALS

Richard F. Phelan, PW/BusAdm

1. Mr. Phelan reported the court auction sold 60 out of the 70 items. The auction brought in revenue for the Town. The court is all moved into the new place at the Clinton Township Police building.
2. The spring clean up will take place the last week in March and first week in April. Public works will be around to pickup the remaining leaves and branches during this time.

Councilman Smith

1. Mr. Smith reported the Rescue Squad calls were up by 60 calls from last year over February. There were 208 calls for February.

Councilman Shea

1. Mr. Shea mourned the loss of Pat Goehe who passed away earlier in the week for all of her time and devotion to the Shade Tree Commission. She was a wonderful woman and will be missed. On Arbor Day, April 28, a tree will be replaced on Main Street in memory of Pat Goehe across from the tree devoted to her husband, Don Goehe, who passed away last year.

Councilwoman Sosidka

1. Mrs. Sosidka reported the Recreation Commission is working on getting volunteers for the Town picnic to be held June 8th.
2. The Recreation Commission came up with a process for using the Community Center. There has been improper use of the Community Center by teenagers. If the teenagers wish to have an impromptu basketball game the procedure is to call Nancy Smith or Rosemary Pendergast. One of them will call the police department and let them know who will be in the building and the names of their parents. Agreed age to use the building without adult supervision is 16. As of now there is no cutoff time as long as everyone is notified. Participant is to be a Clinton resident.
3. Morris Enyeart of City Connections our web site vender would like to volunteer to make some free changes to the web site. Mrs. Sosidka said on item is to have links to social media sites. Several council members have there own facebook page and this will allow a link between the two. Mayor Kovach said the League of Municipalities is having a section on this subject and Morris Enyeart of City Connections will be running the session as well. Social media is the up and coming way to communicate.

Councilman Pendergast

1. Mr. Pendergast received a membership application: Travis Beatty, of 244 West Portal Road, Asbury to join the Clinton Fire Department. Mr. Beatty passed the physical and everything is proper and approved.

A motion was made by Mr. Pendergast, seconded by Mr. Carberry to accept the applications as submitted.

Vote all ayes
Motion carried

2. Mr. Pendergast reported the Fire Department is increasing their rates on the hall rental. It will be a three scale rate: recurring meeting is \$150, one business meeting \$200, and extended meeting over 3 hours will be \$300.
3. Friday Grill Night will begin on April 19 at the Clinton Fire Department. Patrons can stop by and purchase hamburgers, hotdogs, and drinks. Come by and enjoy some good food and good times. The event will continue through September.
4. Fire Department will be holding a boot drive at Exit 15 on April 13.

Councilman Carberry

1. Mr. Carberry reported the Environmental Commission is looking for volunteers for the annual river cleanup to be held on April 28.

Councilwoman Jones-Holt

1. Mrs. Jones-Holt reported did not have Planning Board meeting.
2. The Buildings and Grounds committee is meeting with a company about electricity options called Energy Market Exchange. It involves large auctioning of electric through the big wholesaler to see if we can get any savings. Main concern was the amount of electricity used at the sewer plant.
3. The Buildings and Grounds committee received quotes to replace the flooring in the finance office and the buildings and grounds office.
4. Committee talked about the replacement vehicles under the bond such as a mason dump, pickup truck and a backhoe.

APPROVAL OF STANDBY AND OVERTIME

A motion was made by Mr. Pendergast, seconded by Mr. Carberry, to approve the standby and overtime pay attached to these minutes for February 15, 2013 through February 28, 2013.

ROLL CALL: Ayes: Duffy, Insel, Pendergast, Smith, Mayor Kovach

Vote all ayes
Motion carried

PAYMENT OF BILLS

A motion was made by Mr. Pendergast, seconded by Mr. Carberry to approve the voucher list attached to these minutes.

ROLL CALL: Ayes: Duffy, Insel, Pendergast, Smith, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION # 72-13 - EXECUTIVE SESSION – Potential Litigation/Contract Negotiations

A motion was made by Mr. Pendergast, seconded by Mr. Carberry, to enter into Executive Session at 9:15 p.m. to discuss Potential Litigation and Contract Negotiations.

Vote all ayes
Motion carried

RESOLUTION # 72-13

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;

X 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: _____ 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. Shea, seconded by Mr. Carberry to return to the Regular Meeting with an action to be taken at 9:55 p.m.

Vote all ayes
Motion carried

Mayor Kovach requested a motion to authorize Lorraine Staples, Town Attorney, to continue negotiations for an animal control officer and a veterenary services.
A motion was made by Mr. Carberry, seconded by Mr. Shea, to approve the negotiation.

Vote all ayes
Motion carried

Mayor Kovach requested a motion to authorize Lorraine Staples, Town Attorney, to continue negotiations with the Hunterdon Art Museum.
A motion was made by Mr. Carberry, seconded by Mr. Shea, to approve the negotiation.

Vote all ayes
Motion carried

ADJOURNMENT: There being no further business, a motion was made by Mr. Smith, seconded by Mrs. Sosidka to adjourn the meeting at 10:03 P.M.

Vote all ayes
Motion carried

Nancy A. Burgess, Deputy Clerk

Mayor Janice Kovach