

Mayor 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 minutes of August 13, 2013 as submitted.

Vote all ayes
1 Abstention (Jones-Holt)
Motion carried

PUBLIC COMMENT – none

MAYOR’S COMMENTS - none

TARA SHEPHERD – HART PRESENTATION

Tara Shepherd, Executive Director of HART, (Hunterdon Area Rural Transit) attended this evenings meeting to give an overview of the accomplishments and HART’s mission to promote sustainable transportation alternatives every day in the programs and services they provide. Commuters are given the opportunity to join carpools or consider bicycling to work and information can be obtained through HART offices. Communities wishing to become more walkable and bicycle friendly are receiving assistance to do so by creating Complete Streets project. The Roads Committee met with members of HART to discuss the Complete Streets initiative for the Town of Clinton which would give additional points on infrastructure grant applications. Mr. Smith stated that the project would be make an impact on the Town’s budget, therefore, the project is still in discussion phase. A crosswalk inventory was done by HART without the Town’s knowledge which was a great help and crosswalks have been repainted. Ms. Shepherd also addressed the parking issue at the Clinton Point Park & Ride and stated that ongoing discussions are taking place to improve commuter parking and additional buses located at the Hunterdon Hills Playhouse.

HART has Sustainable Hunterdon certification which also helps Town’s seeking Sustainable Jersey certification.

Ms. Shepherd encouraged residents to sign up for traffic alerts that are posted during peak hours of the day. Council thanked Tara for coming to the meeting and Tara welcomed questions and offered to be available to the Town’s needs in the future.

INTRODUCTION OF ORDINANCE #13-15 – VEHICLES AND TRAFFIC

A motion was made by Mr. Carberry, seconded by Ms. Jones-Holt, to adopt Ordinance #13-15 on first reading as submitted:

ORDINANCE # 13-15

ORDINANCE AMENDING SECTIONS OF CHAPTER 135, ENTITLED "VEHICLES AND TRAFFIC" OF THE CODE OF THE TOWN OF CLINTON PERTAINING TO THE FINES FOR VIOLATION OF THE WEIGHT LIMIT ON MAIN STREET HISTORIC TRUSS BRIDGE

WHEREAS, the Truss Bridge located on the westerly end of Main Street is a historic structure constructed in the 19th century in order to accommodate pedestrians, horses and horse drawn vehicles; and

WHEREAS, over the years the bridge has been lovingly restored by the County of Hunterdon and the Town of Clinton in order to preserve its unique architectural look and historical importance; and

WHEREAS, the Truss Bridge today also serves an important commercial purpose by providing one of the two access points to the downtown area, the commercial heart of Clinton, known for its unique architecture and attractive shopping opportunities; and

WHEREAS, the County of Hunterdon has determined the appropriate weight limit for the bridge is six tons and notice of that fact has been prominently posted in advance of the bridge; and

WHEREAS, notwithstanding the fact that the weight limit has been prominently posted, members of the Town of Clinton Police Department have observed overweight vehicles crossing the bridge thereby imperiling the structure; and

WHEREAS, the destruction of the bridge by an overweight vehicle would not only be a tremendous historical loss, a great expense to replace, but would also do incalculable damage to commerce in the Town of Clinton.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Clinton, the County of Hunterdon, that Chapter 135 of the Ordinance of the Town of Clinton is hereby amended as follows:

Section 1.

§135-21, Violations and Penalties is hereby repealed and the General Penalties section found in Section 6-9 of the Code of the Town of Clinton is to be used to establish penalties, except where other penalties are established by this Ordinance or other sections of Chapter 135.

Section 2.

§135-27, Schedule V: Vehicles over Certain Weights Excluded, is hereby amended to add the following weight limit:

<u>Name of Street</u>	<u>Weight Limit (tons)</u>	<u>Location</u>	<u>Direction</u>
Main Street	6	Historic Truss Bridge	East/West

Section 3.

The minimum fine for exceeding the weight limit on the Historic Truss Bridge shall be \$300, with a fine up to a maximum of \$1,000, or such other maximum as established by state statute.

This Ordinance shall take effect upon final passage and publication according to law.

Vote all ayes
Motion carried

A notice of Ordinance #13-15 will be published in the September 4, 2013 edition of the Hunterdon Review. A public hearing will be held September 24, 2013.

RESOLUTION #128-13 – DISCHARGE OF MORTGAGE

A motion was made by Mr. Smith, seconded by Mr. Pendergast, to adopt Resolution #128-13 as submitted:

RESOLUTION # 128-13

**A RESOLUTION CONCERNING DISCHARGE OF
AFFORDABLE HOUSING MORTGAGE**

WHEREAS former Town of Clinton resident Alanna K. Abelman purchased a home at 10 Woodcrest Lane, Clinton, New Jersey, on June 20, 2010; and

WHEREAS this home was designated as an Affordable Housing unit in the Town of Clinton; and

WHEREAS pursuant to the State of New Jersey Department of Community Affairs, Division of Housing regulations, Alanna K. Abelman executed a mortgage to the Town of Clinton Affordable Housing Authority which was recorded in Hunterdon County, New Jersey, on July 9, 2010 in Mortgage Book 3455 on page 322; and

WHEREAS Alanna K. Abelman has now sold the home to Conor F. Halloran, who has executed a mortgage to the Affordable Housing Authority;

NOW THEREFORE BE IT RESOLVED that the Mayor has the authority to execute a Discharge of the Mortgage given by Alanna K. Abelman to the Town of Clinton Affordable Housing Authority.

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

Vote all ayes
Motion carried

RESOLUTION #129-13 – CANCELLATION OF LIEN

A motion was made by Mr. Carberry, seconded by Mr. Pendergast, to adopt Resolution #129-13 as submitted:

RESOLUTION #129-13

WHEREAS, the Tax Collector of the Town of Clinton has been paid \$226,123.94 the amount necessary to redeem Tax Sale Certificate #2008-3 on Block 13, Lot 21, assessed to Nicholas & Angela Luongo, and purchased by Royal Tax Lien Services, LLC d/b/a Crusader Lien Services LLC.

NOW THEREFORE BE IT RESOLVED, on this 27th day of August, 2013 by the Mayor and Council of the Town of Clinton, County of Hunterdon, that the Chief Financial Officer be authorized to issue a check in the amount of \$226,123.94 payable to Royal Tax Lien Services, LLC, d/b/a Crusader

Lien Services LLC, 732 Montgomery Avenue, Narberth, PA, 19072, upon receipt of the original Tax Sale Certificate endorsed for cancellation, and

BE IT FURTHER RESOLVED that the Tax Collector be authorized to cancel Lien #2008-3 on Block 13, Lot 21, assessed to Nicholas & Angela Luongo, from the Town of Clinton Tax Records.

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

Vote all ayes
Motion carried

RESOLUTION #130-13 – OVERPAYMENT OF TAXES

A motion was made by Mr. Carberry, seconded by Mr. Pendergast, to adopt Resolution #130-13 as submitted:

RESOLUTION #130-13

WHEREAS, the Tax Collector of the Town of Clinton has received an overpayment for the following block and lot due to refinance or closing,

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Clinton that the Chief Financial Officer be authorized to refund the overpayment to Corelogic Real Estate Tax Service c/o Refund Department, PO Box 961250, Fort Worth, TX, 76161, for the following account:

<u>BLOCK</u>	<u>LOT</u>	<u>OWNER</u>	<u>AMOUNT</u>
16	20.29	Richard & Karen Duffy	\$2,543.00

BE IT FURTHER RESOLVED that the Tax Collector remove the overpayment on the above block and lot for the 3rd quarter 2013.

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

Vote all ayes
Motion carried

CORRESPONDENCE

1. Safe in Hunterdon commended Patrolman Tilstra for his outstanding work in assisting a victim of domestic violence.
2. Clinton Olympian, Julie Culley, took part of an event called, Belmar Chase. Julie is donating her \$500.00 cash winnings to the Town of Clinton Parks and Recreation Commission! Thank you, Julie!
3. ShopRite is hosting Partners in Caring Day on September 18, 2013. A proclamation has been drafted to be presented at the event. It's a day to create awareness of hunger in our own communities.
4. A letter received from Kathleen P. Morriello, 92 Leigh Street, regarding the charges imposed by the Town Engineer, Robert Clerico of Van Cleef Engineering. Mayor Kovach suggested to Council that Mr. Phelan be instructed to investigate the fees. A motion was made by Mr.

Carberry, seconded by Mr. Pendergast, to have Mr. Phelan, Town Administrator, investigate the matter.

Vote all ayes
Motion carried

Ms. Morriello asked for permission to address Council with additional issues. Ms. Morriello referred to her letter that she submitted to Council and stated the following items as she sees them:

1. The filing of the original Block 29 and the subdivision never done?
2. Zoning change never done?
3. Deed not stamped, filed incorrectly?
4. Why re-dedicate ROW if it was done in the past?
5. Regardless of the contract with PRCA (Pond Ridge Condominium Association) and the ills of the past concerning the filing of easements and other recordable documents that were not filed at the time the Pond Ridge development was approved and who is the rightful owner of the land known as Block 29?
6. The taxes that have been paid, being 1/19th of the land but being taxed incorrectly at a rate of 58% and the other 18 owners being taxed at 49%.

Mr. Pendergast explained to Ms. Morriello that her concerns are now public record and Mr. Phelan will address the concerns stated regarding the billing issues of Engineer Clerico and review of the subdivision project.

Original motion for Mr. Phelan to investigate the fees and do the research was made by Mr. Carberry, seconded by Mr. Pendergast.

Vote all ayes
Motion carried

Ms. Morriello suggests that Mr. Cushing deal with her attorney, Walter Wilson.

REPORTS FROM COUNCIL & TOWN OFFICIALS

Police Chief Matheis

1. The Crossing Guards have completed their refresher training course.

Kathy Olsen, CFO

1. The IRS paid a visit to the Finance Office to do a compliance check and said they were doing an excellent job! Good work!

Councilman Smith

1. Water Committee met with the Town officials and Borough Engineer of Lebanon to discuss the water main project and road project. The Lebanon officials are looking for funding and for grants for the Borough. It is necessary to realign the initial scheduled presented.

Councilman Shea

1. Shade Tree met and discussed the fact that there is no funding available to all the towns that applied, 45 towns were turned down. Merchants have made comments that trees along Main and East Main Streets have been damaged due to large delivery trucks. A draft letter will be reviewed by Mr. Phelan and then forwarded to merchants for them to contact their delivery companies regarding the trees and not to park so close the trees. Additional pruning will be done to trees on

Main and East Mains Streets followed by more pruning of trees in Town. Two trees were removed that needed to come down and Shade Tree funds have been depleted. Mr. Shea asked if additional funds to replenish the Shade Tree budget can be made in November, when transfers can be done.

2. Roads Committee will meet on September 6, 2013 and do an inventory of next year's road projects.

Mr. Pendergast asked Mr. Shea and the Road Committee to address the light heading out of Town on Route 513 towards WalMart. The traffic backs up onto West Main Street and suggested making the right lane a "right turn only" lane and suggested crossing the intersection going straight into one lane instead of two. Discussion took place among council and a motion was made by Mr. Carberry, seconded by Mr. Smith, to request a letter be sent to the State asking for a right turn only lane approaching the light. Chief Matheis supports the idea of a right on red also.

RESOLUTION 131-13 – "RIGHT TURN ONLY" AT EXIT 15

Following the discussion regarding Exit 15 and the traffic situation, a motion was made to adopt Resolution #131-13 and forward a copy to the Governor's office and subsequently onto to the Department of Transportation.

**RESOLUTION #131-13
RIGHT TURN ONLY LANE**

WHEREAS, Exit 15 off Interstate 78 in the Town of Clinton is located on a State highway; and

WHEREAS, reconstruction of the exit took place several years ago with traffic signalization issues which are an ongoing matter; and

WHEREAS, the Mayor and Council of the Town of Clinton have repeatedly received complaints from residents and have discussed the traffic situation at the Exit 15 for years; and

WHEREAS, the Roads Committee of the Town of Clinton have worked with the Department of Transportation and the Town of Clinton Police Department to remedy the faults of the intersection; and

WHEREAS, a solution to the heavy flow of traffic leading out of Town on West Main Street may be alleviated if a right turn only lane may be created and the left lane only be allowed to cross over the intersection; and

WHEREAS, it is a State highway and the Department of Transportation makes the final decision;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Clinton request that the New Jersey Department of Transportation physically witness the intersection referenced and consider allowing the "RIGHT TURN ONLY" lane as requested.

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

Mrs. Sosidka explained that she did not feel a right turn only lane would alleviate the problem and therefore voted no.

Vote 6 Ayes

Councilman Pendergast

1. Sewer Committee – the pump problem at the Treatment plant is being addressed and there was discussion as to fixing the problem. It was decided to go with a little more expensive auger style pump but it will require less maintenance.
2. Clinton Fire Department activity report for July with a total of 455 hours including alarm responses, fundraising, and training.
On August 16 and 17th, Grill Night and the Clam Bake were held and were very successful!
The last Grill Night for 2013 will be September 20th.
3. Golf tournament being held at Heron Glen on Thursday, October 10, 2013. Shotgun begins at 10 a.m. Team entry fee is \$400.00 includes green and cart fees, range balls, prizes and lunch served after play.
4. Clinton Fire Department application for membership from Linette Merced, motion made by Mr. Pendergast, seconded by Mr. Smith to accept.

Vote all ayes
Motion carried

Councilman Carberry

1. Mr. Carberry and Mr. Phelan met with Insurance Advisor, Caroline Conboy, on Thursday, August 15, 2013, to discuss our application for renewal. Mr. Carberry proposed that Town employees who use their personal vehicles for Town business show the liability limits they cover. Mr. Carberry asked Ms. Conboy to prepare a spreadsheet showing all insured properties of the Town and that at the next meeting, he may be making a proposal for some changes.

Councilwoman Jones-Holt

1. Planning Board approved the final site plan application for Country View Builders / Twin Ponds Development.
2. Historical Commission discussed the Fox Farm property. There is an existing barn located on the site that dates back to the 1700's and is the topic of discussion at this point by the Planning Board and the developer of the proposed as to relocating it or what its future may be. Historic Commission chair, Rosemarie Platt met with Walter Hetzel and visited the Director of the Red Mill Museum Village to see if they would be interested in having it on their property. They would love it! However, they are not in a position to pay for it! The Commission contacted Stephanie Stephens of the County Preservation Commission to inquire if there would be any funding to pursue options of relocating the barn. Discussion took place about the barn retaining historical designation if it were to be moved with or without the foundation. Mayor Kovach stated that laws have changed and even if moved with the original foundation, once moved, it would lose its designation.
3. A letter was received from a resident regarding the Bonnell Tavern and a plea to help to preserve it. The author was informed that it is Union Township and several avenues have been explored by the Bonnell Family. The letter was also received by the Historic Commission and forwarded to Attorney Walter Wilson.

4. Historic Commission member, Carol Crawford-Jones has donated a flip house scanner to the Commission.
5. The Commission is working on a cemetery and walking house tour for the Fall , 2013 and extending it down Leigh Street. The Commission will also host a tour for the County's 300th anniversary next Fall in conjunction with the Red Mill Museum Village. The Commission is working towards perfection to host the Town of Clinton's 150th Anniversary in 2015!
6. Ms. Jones-Holt's final report was that she was resigning from her seat on Council! She has accepted a position as Executive Direct of the Flemington Business Improvement District and must not be affiliated with any political seats that would create a conflict. Ms. Jones-Holt will be submitting a letter of resignation. She did agree to continue working as the chair of the 150th Anniversary for the Town and will be in touch with everyone for their assistance.

APPROVAL OF STANDBY AND OVERTIME

A motion was made by Mr. Pendergast seconded by Mr. Carberry, to approve the standby and overtime pay for the period August 2 through August 15, 2013 attached to these minutes.

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

Vote all ayes
Motion carried

PAYMENT OF BILLS

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

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

Vote all ayes
Motion carried

ADJOURNMENT: There being no further business, a motion was made by Mr. Pendergast seconded by Mr. Smith, to adjourn the meeting at 8:38 p.m.

Cecilia Covino, RMC/CMC
Town Clerk

Mayor Janice Kovach