

Councilman Shea called the meeting to order at 7:30 p.m.

Flag Salute.

Roll Call: Present – Carberry, Pendergast, Shea, Smith, Sosidka
Absent - Rylak and Mayor Kovach

STATEMENT OF ADEQUATE NOTICE:

Councilman Shea 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. Shea to approve the minutes of February 24, 2015 as submitted.

Vote all ayes
2 Abstentions (Pendergast, Smith)
Motion carried

APPROVAL OF EXECUTIVE SESSION MINUTES

A motion was made by Mr. Carberry, seconded by Mr. Pendergast, to approve the Executive Session minutes of February 24, 2015 as submitted.

Vote all ayes
1 Nay (Sosidka)
Motion carried

APPROVAL OF BUDGET MEETING MINUTES

A motion was made by Mr. Carberry, seconded by Mr. Pendergast, to approve the Budget meeting minutes of February 18, 2015 as submitted.

Vote all ayes
Motion carried

APPROVAL OF MONTHLY REPORTS – FEBRUARY

A motion was made by Mr. Carberry seconded by Mr. Smith, to accept the monthly reports for the month of February as submitted.

Administrator’s Report, Clerk’s Account, Cat & Dog Licensing Accounts, Construction Control / Inspection Report, Police Report, Road Foreman’s Report, Sewer Collector’s Report, Tax Collector’s Report, Water collector’s Report, Wastewater Treatment Plant Superintendent’s Report, Zoning Officer Report.

Vote all ayes
Motion carried

PRESENTATION OF SUNRISE ROTARY

Lynn Arnold and Andy West of the Sunrise Rotary presented checks to the Clinton Police Department and the Clinton First Aid & Rescue Squad for their help with the Rubber Ducky Race and Sprintin’ Clinton 5K Race in 2014. Police Chief Brett Matheis and Rescue Squad Deputy Chief, Matt Stiff accepted donation checks of \$500 each.

SPECIAL EVENT REQUEST

A motion was made by Mr. Smith, seconded by Mr. Pendergast to approve the special event request for the Rubber Ducky Race on Sunday July 12, 2015.

Vote all ayes
Motion carried

BANNER REQUEST

A motion was made by Mr. Smith, seconded by Mr. Pendergast, to approve the banner request for the Rubber Ducky Race/Sprintin' Clinton, to be displayed from June 29 through July 13, 2015 as requested. The Rotary Club of Clinton Sunrise is the sponsoring organization.

Vote all ayes
Motion carried

SPECIAL EVENT REQUEST

A motion was made by Mr. Carberry, seconded by Mr. Pendergast, to approve the special event request for the Fishing Derby, Saturday, April 25, 2015 to be held at DeMott Pond.

Vote all ayes
Motion carried

BANNER REQUEST

A motion was made by Mr. Carberry, seconded by Mr. Pendergast, to approve the banner request for the Fishing Derby banner to be displayed March 30 through April 4, 2015 being sponsored by the Rotary Club of Clinton Sunrise.

Vote all ayes
Motion carried

BANNER REQUESTS FOR THE RED MILL MUSEUM VILLAGE

Banner requests for the Red Mill Museum Village have been submitted:

	EVENT DATE	BANNER DATES
British Car Day	June 7, 2015	June 1 – June 8
Kid's Day	July 25, 2015	July 13 – July 26
Revolutionary War Weekend	August 8 & 9	July 27 – August 9
Haunted Mill	October 9, 10, 16, 17, 23, 24	September 28 – October 25

A motion was made by Mr. Smith, seconded by Ms. Sosidka, to approve the banner dates requested.

Vote all ayes
Motion carried

RESOLUTION #54-15 – CANCELLATION OF LIEN

A motion was made by Mr. Carberry, seconded by Ms. Sosidka, to adopt Resolution #54-15 as submitted:

RESOLUTION # 54-15

WHEREAS, the Tax Collector of the Town of Clinton has been paid \$2,433.66, the amount necessary to redeem Tax Sale Certificate #2013-3 on Block 6, Lot 2, assessed to Steven and Anna Ackaway, and purchased by FWDSL & Associates LP.

NOW THEREFORE BE IT RESOLVED, on this 10th day of March 2015 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 \$2,433.66 to FWDSL & Associates LP, 5 Cold Hill Road South #11, Mendham, NJ, 07945, 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 #2013-3 on Block 6, Lot 2, assessed to Steven and Anna Ackaway, from the Town of Clinton Tax Records.

ROLL CALL: AYES: Carberry, Pendergast, Shea, Smith, Sosidka

Vote all ayes
Motion carried

RESOLUTION #55-15 – CANCELLATION OF LIEN

A motion was made by Mr. Carberry, seconded by Ms. Sosidka, to adopt Resolution #55-15 as submitted:

RESOLUTION # 55-15

WHEREAS, the Tax Collector of the Town of Clinton has been paid \$1,035.84, the amount necessary to redeem Tax Sale Certificate #2014-13 on Block 31, Lot 7, C0105 assessed to Tara Wean, and purchased by FWDSL & Associates LP.

NOW THEREFORE BE IT RESOLVED, on this 10th day of March 2015 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 \$1,035.84 (certificate), \$1,200.00 (Premium) to FWDSL & Associates LP, 5 Cold Hill Road South #11, Mendham, NJ, 07945, 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 #2014-13 Block 31, Lot 7, C0105 assessed to Tara Wean, from the Town of Clinton Tax Records.

ROLL CALL: AYES: Carberry, Pendergast, Shea, Smith, Sosidka

Vote all ayes
Motion carried

RESOLUTION #56-15 – CANCELLATION OF LIEN

A motion was made by Mr. Carberry, seconded by Ms. Sosidka, to adopt Resolution #56-15 as submitted:

RESOLUTION # 56-15

WHEREAS, the Tax Collector of the Town of Clinton has been paid \$564.53, the amount necessary to redeem Tax Sale Certificate #2014-4 on Block 15, Lot 21, assessed to Susan Cove, and purchased by Pro Capital 5, LLC.

NOW THEREFORE BE IT RESOLVED, on this 10th day of March 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 \$564.53 to Pro Capital 5, LLC, US Bank Cust for PC5, 50 South 16th Street, Suite 2050, Philadelphia, PA 19102 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 #2014-4 on Block 15, Lot 21, assessed Susan Cove, from the Town of Clinton Tax Records.

ROLL CALL: Ayes: Carberry, Pendergast, Shea, Smith, Sosidka

Vote all ayes
Motion carried

RESOLUTION #57-15 – APPOINTMENT OF SPECIAL COUNSEL

A motion was made by Mr. Smith, seconded by Ms. Sosidka, to adopt Resolution #57-15 as submitted:

**RESOLUTION # 57-15
RESOLUTION APPOINTING SPECIAL COUNSEL**

WHEREAS, there exists a need for the performance of special legal services during the year 2015 which cannot be economically handled by the Municipal Attorney; and

WHEREAS, funds are or will be made available for this purpose to be certified by the Treasurer; and

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:11-1, et seq.*) authorizes the hiring of a Special Counsel without competitive bidding providing that the resolution authorizing the award of contracts for “Professional Services” without competitive bidding and the contract itself be made available for public inspection; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Clinton, Hunterdon County, New Jersey, as follows:

1. Gregory J. Coffey, Esq. is hereby appointed to serve as Special Counsel for the Town of Clinton during the year 2015 in order to provide legal services and advice relating to two subpoenas served upon the Town of Clinton in the matter entitled *NJDEP ads American Thermoplastics, et al.*
2. The Clerk and the Municipal Attorney have negotiated with the Special Counsel a mutually agreeable compensation agreement, the form of which is acceptable to the Mayor and Council, for a fee not to exceed \$1,500. The Mayor and Clerk are hereby authorized to sign said agreement in the form presented.
3. This contract is awarded without competitive bidding as a “Professional Services” under the provisions of the Local Public Contracts Law, *N.J.S.A. 40A:11-5* and *N.J.S.A. 19:44A-20.5*.

Vote all ayes
Motion carried

RESOLUTION #58-15 – POSTPONEMENT OF MORTGAGE

A motion was made by Mr. Carberry, seconded by Mr. Smith, to adopt Resolution #58-15 as submitted:

**RESOLUTION # 58-15
Resolution Authorizing the Postponement of a Mortgage Between
The Town of Clinton and Peapack Gladstone Bank**

WHEREAS, on April 14, 2010, Susan Stuart made a mortgage to the N.J. Council on Affordable Housing, Town of Clinton (Clinton Town Affordable Housing Authority) for property located at Block 31.01, Lot 29.07 and known by the street address of 7 Woodcrest Lane, Clinton, NJ, said mortgage being filed on June 29, 2010 in Mortgage Book 3452 at page 231 in the Hunterdon County Clerk's Office which mortgage was second and subordinate to the first mortgage in the original principal amount of \$72,500 made to Peapack Gladstone Bank; and,

WHEREAS, Susan Stuart now seeks to refinance her first mortgage with Peapack Gladstone Bank, in the amount of \$70,500.00, and a condition of her refinance is that the mortgage held by the Town of Clinton be subordinated to the new Peapack Gladstone Bank mortgage and remain a second priority mortgage; and,

WHEREAS, the governing body of the Town of Clinton and the Clinton Town Affordable Housing Authority have reviewed the proposed form of Postponement of Mortgage and have determined that it may be executed without detriment to the Town of Clinton or the Clinton Town Affordable Housing Authority and herein authorize the appropriate individuals to execute the Postponement of Mortgage in the form annexed to this resolution.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Town of Clinton that the Mayor and Clerk are authorized on behalf of the Town of Clinton and the Clinton Town Affordable Housing Authority to execute the approved Postponement of Mortgage in the form annexed hereto and shall sign same; and,

BE IT FURTHER RESOLVED, that a signed copy of the Postponement of Mortgage shall be placed in the Applicant's file; and

BE IT FURTHER RESOLVED that the Fair Housing Administrator or Township Clerk will advise the Applicant when the Postponement has been signed and is available for pick up and shall receive a receipt for its delivery.

Vote all ayes
Motion carried

CORRESPONDENCE

1. A letter has been received from a resident requesting the waiver of a late fee on her real estate taxes for the first quarter of 2015. The taxes were mailed at the post office and hand stamped, however, the envelope with payment was never received in the Tax office. The letter is being referred to the Town Attorney for comment. Ms. Olsen, Tax Collector, explained that the treasurer cannot waive a fee nor can the Mayor and Council, per the State of New Jersey.
2. Councilman Shea presented Council with his letter of resignation. Effective St. Patrick's Day, Councilman Shea will step down after serving nine years on council. Mr. Shea thanked everyone for the pleasure of serving and plans to stay involved and remain on the Shade Tree Commission. "It has been a great ride" and "now it is best to offer my last year in office to someone who can provide more energy and passion". Ms. Sosidka commented that Mr. Shea "has always been passionate, has great zeal, and brought experience and guidance to the table". A standing ovation and round of applause! Mr. Shea will be missed.

REPORTS FROM COUNCIL & TOWN OFFICIALS

Richard Phelan, Business Administrator

Mr. Phelan attended a meeting with Hunterdon County to discuss their efforts for promoting a shared service for trash and recycling. Mr. Phelan is preparing a summary.

Kathy Olsen, CFO

Thank you to Mr. Shea, "you will be missed".

Councilman Smith

Water Committee – water main breaks are inevitable in the winter with the extremely cold temperatures. Last year there were six, this year eight, however, recently the Water department experienced four in one night.

Clerk Covino

Clerk Covino was directed to finding a place to hold the Volunteer Appreciation and Employee Award Dinner. The Mountain View Chalet was found to be the best price and is available for a Friday evening in April. The dates will be given to council to choose a date and council agreed to increase the budget to accommodate our guests.

Attorney Tara St. Angelo

A request has been received from developer, Hunterdon Capital, for vacating easements no longer needed for the Springhouse Estates project on Leigh Street. Ms. St. Angelo explained that she has reviewed the request to vacate easements due to the fact that less houses are to be built. No new road to be built and only two driveways to the lots to be developed. Jim Scordo, representing Hunterdon Capital, explained the proposed plan that has approval from the Planning Board. Ms. St. Angelo has been in contact with the Town Engineer and will prepare a document for the next council meeting.

Councilwoman Sosidka

150th Committee has prepared a list of expenses and a budget sheet. The committee continues to plan for the Block Party to be held May 30th and is still looking for sponsors. Magic acts, art, music and food will be featured. The beautification cleanup is April 18th on Main Street. Red Mill planning two exhibits, the blacksmith will be doing a demonstration and a photo contest will be held. The New Jersey Hall of Fame will also be open on the lot of the fire department.

Councilman Pendergast

Sewer Committee – the sludge press fan belt was broken at the treatment plant but has been repaired.

Clinton Fire Department will finalize the truck order in two weeks.

The Fire Department is also excited to host the after parade party for the St. Patrick's parade.

There will also be a change in by-laws to calendar year cycle.

Councilman Carberry

The "Irishtown" sign will be dedicated on Sunday, March 15 at 2:30 p.m. prior to the parade. It will be located in front of the first Mulligan house at 28/30/32 Halstead Street.

Mr. Smith made a motion seconded by Mr. Carberry, to block off two parking spots in the Lower Center Street parking lot to allow for port-a-johns to be located.

Vote all ayes
Motion carried

STANDBY AND OVERTIME

A motion was made by Mr. Carberry seconded by Mr. Pendergast to approve the standby and overtime submitted for February 13 through February 26, 2015 attached to these minutes.

ROLL CALL: Ayes: Carberry, Pendergast, Shea, Sosidka

Vote all ayes
Motion carried

PAYMENT OF BILLS

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

ROLL CALL: Ayes: Carberry, Pendergast, Shea, Sosidka

Vote all ayes
Motion carried

PUBLIC COMMENT

Chris D'Annunzio, Hunterdon On-Line News, asked Mr. Shea what is the process that will take place in filling his council seat. Mr. Shea explained that the republican party will submit the names of three persons for council to select one. This takes place within 15 days of March 17, Mr. Shea's last day on council.

ADJOURNMENT: There being no further business, a motion was made by Mr. Carberry seconded by Mr. Pendergast to adjourn the meeting at 8:15 p.m.

Cecilia Covino, RMC/CMC
Town Clerk

Mayor Janice Kovach