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

Flag Salute.

Roll Call: Present – Carberry, Dineen, Pendergast, Rylak, 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. Rylak, to approve the minutes of the Council Meeting held December 27, 2016.

Vote all ayes
Motion carried

APPROVAL OF RE-ORGANIZATION MINUTES

A motion was made by Mr. Smith, seconded by Ms. Sosidka, to approve the minutes of the Re-organization meeting held January 3, 2017.

Vote all ayes
Motion carried

APPROVAL OF SPECIAL MEETING MINUTES

A motion was made by Mr. Carberry, seconded by Ms. Sosidka, to approve the minutes of the Special Council meeting held January 4, 2017.

Vote all ayes
Abstain (Rylak)
Motion carried

APPROVAL OF EXECUTIVE SESSION MINUTES

A motion was made by Mr. Carberry seconded by Mr. Smith to approve the Executive Session of the Special Meeting minutes of January 4, 2017.

Vote all ayes
Abstain (Rylak)
Motion carried

APPROVAL OF MONTHLY REPORTS – DECEMBER

A motion was made by Mr. Carberry seconded by Mr. Pendergast to approve the monthly reports for the month of December as submitted:

Administrator’s Report, Clerk’s Account, Cat & Dog Licensing Accounts, Construction Control/ Inspection Report, Police Reports for November and December, Road Foreman’s Report, Sewer Collector’s Report, Tax Collector’s Report, Treasurer’s Report, Water Collector’s Report, Zoning Officer Report.

Vote all ayes
Motion carried

PUBLIC COMMENT- NONE

MAYOR'S COMMENTS

1. Mayor Kovach has invited two individuals to the next Council Meeting, January 24, 20

CLINTON CONSERVANCY – SUSTAINABLE JERSEY GRANT

John and Kathy Madden of the Clinton Conservancy Group came before Council to explain the requirements of applying for a Sustainable Jersey Grant. The Maddens explained the goal of the Clinton Conservancy is to beautify the Town using native plants and environmentally sound practices and to turn the Town into a butterfly habitat. The couple explained they would be applying for a \$10,000 grant, the first \$5,000 would be received when awarded and would be used to complete their vision and the second \$5,000 would be reimbursed upon completion but the Town would have to agree to “front” those funds. The grant deadline is February 28, 2017. The Town has to apply for the grant but forms and reports will be completed by the Conservancy and the Green Team, an Ad Hoc Committee of the Environmental Commission. The Town would be responsible to pass a resolution supporting the application and the resolution or ordinance that formally established the Green Team and a summary of recent green team activities. The Town Administrator will be responsible for purchase orders, invoicing and writing checks but his time to do so can be covered with monies received from the grant. The Conservancy plans to hire an expert to prepare a survey on the birds, vegetation and butterflies in the area of Skirbish Pond (referred to as Pond Ridge and asked to refer to it as Skirbish in the future). Council had several questions and concerns for the Maddens and Mr. Phelan will review the requirements and prepare a report of his findings for Council.

SPECIAL EVENT APPLICATION DISCUSSION

Councilman Smith explained that a complaint was reported when a resident was not notified of a street closure for the Christmas Parade. Mr. Smith asked the administrator to add language to the special event application that if a street closure is being request, space is provided to specifically list the street to be closed and the hours. Furthermore, notification be made to the Business Administrator and resident notification to all property owners located on the street that will be closed seven (7) days prior to the closure. A motion was made by Ms. Dineen, seconded by Mr. Rylak to accept the revised application as presented.

Vote all ayes
1 Nay (Carberry)
Motion carried

SPECIAL EVENT – ST. PATRICK'S DAY PARADE

An application has been received from the Friendly Sons of St. Patrick's of Hunterdon County to hold the Annual St. Patrick's Day Parade on Sunday, March 12, 2017. A motion was made by Mr. Smith, seconded by Mr. Rylak to approve the request as submitted.

Vote all ayes
Motion carried

BANNER REQUEST – “RAISE THE ROOF”

A banner request from Fox Lumber to display a banner April 15 through April 30, 2017 announcing their “Raise the Roof” Open house on May 13, 2017. A motion was made by Ms. Dineen seconded by Mr. Carberry to approve the request.

Vote all ayes
Motion carried

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RESOLUTION #39-17 – BYOB

A motion was made by Mr. Pendergast, seconded by Ms. Dineen, to adopt Resolution #39-17 as submitted:

RESOLUTION # 39-17

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 BYO (Bring Your Own) consumption of alcoholic beverages shall be permitted at the Hunts Mill Park during the Town of Clinton Yuletide Bonfire Winter Festival to be held on January 28, 2017 beginning at 6:00 PM

Vote all ayes
Motion carried

RESOLUTION – VERIZON RIGHT OF WAY REQUEST

This resolution will be tabled until February 14, 2017 at which time a representative from Tilson Tech will attend the meeting to answer questions of Council before approving the request.

RESOLUTION #40-17 – AUTHORIZATION TO EXECUTE A DEVELOPER'S AGREEMENT

A motion was made by Mr. Smith, seconded by Mr. Pendergast, to adopt Resolution #40-17 as submitted:

RESOLUTION # 40-17

**RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO
EXECUTE A DEVELOPER'S AGREEMENT WITH
EASTERN HILL, LLC**

WHEREAS, Eastern Hill, LLC (the "Developer") is the owner of certain property that is known and designated as Block 16, Lot 22.02 on the Tax Map of the Town of Clinton, Hunterdon County, New Jersey and consisting of approximately 81,912 square feet, or 1.880 Acres more or less within the OB..2 zone district (hereinafter the "Property"); and

WHEREAS, the Town of Clinton Board of Adjustment, now the Land Use Board, (the "Board") granted Developer a Use Variance allowing for Residential Use on the Property by Resolution dated May 20, 2013; and

WHEREAS, on or about September 1, 2015, the Board granted Preliminary Major Site Plan approval with variance and/or design waiver relief as set forth in the Resolution adopted November 3, 2015, to the Developer for a residential housing project consisting of a total of 35 rental units; and

WHEREAS, 28 of the apartments will be market rate units and 20% or 7 units shall be set aside for affordable housing rental units (the bedroom count of the units shall be as set forth in the Resolution of the Board); and

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WHEREAS, Developer desires to comply with the terms and conditions of the approvals and proceed with development of the Property and install all improvements in accordance with the Resolutions and approved plans; and

WHEREAS, the Developer and Town desire to enter into an agreement setting forth the rights, duties and obligations of the parties in connection with the approval as reflected in the Resolution and approved Plans; and

WHEREAS, the Mayor and Committee have reviewed the proposed Developer's Agreement and find that it is in the best interests of the Town to enter into such agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Clinton, County of Hunterdon, New Jersey, that the Mayor and Clerk are hereby authorized to execute the Developer's Agreement between Town of Clinton and Eastern Hill, LLC, in substantially the form attached hereto, subject to the final review of the Town Engineer and Attorney.

Vote all ayes
Motion carried

INTRODUCTION OF ORDINANCE #1-17 – HEALTH BENEFITS

A motion was made by Mr. Smith, seconded by Ms. Dineen to introduce Ordinance #1-17 on first reading:

**TOWN OF CLINTON
HUNTERDON COUNTY, NEW JERSEY**

**ORDINANCE #17-1
ORDINANCE REQUIRING EMPLOYEE CONTRIBUTIONS TOWARDS
HEALTH BENEFITS PROVIDED BY THE TOWN**

WHEREAS, the New Jersey Legislature passed a health benefits reform law (Chapter 78, P.L. 2011 on June 28, 2011) requiring public employees to increase their contributions to health insurance premiums; and

WHEREAS, the provisions of the health benefits reform law have expired; and

WHEREAS, the Town of Clinton and its collective bargaining units have established terms of compensation and benefits for a term ending on December 31, 2017 for the PBA Local 188 and December 31, 2018 for the Teamsters Local 469, including contributions towards employee health benefits ranging from 4.5% and 35% of the premium, depending on the employee's salary and in conformance with Chapter 78, P.L. 2011; and

WHEREAS, it has been the past practice for non-union employees to be subject to the same general terms and conditions of compensation as similarly situated unionized employees in the Town; and

WHEREAS, the Mayor and Council has determined that it is in the best interests of the Town to continue to require employees to contribute to their health insurance premiums at the current rates so that the increased costs are not passed on to the tax payers; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Clinton, the County of Hunterdon, that Chapter 22 entitled "Salaries and Compensation" of the

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Code of the Town of Clinton (“Code”) is amended to include a new Chapter 22-1 entitled “Employee Medical Insurance” and is hereby added as follows:

SECTION 1. A Chapter of the Code of the Town of Clinton entitled “Employee Medical Insurance” is hereby added as follows:

§___-1 Medical Insurance.

A. Notwithstanding any collective bargaining agreement or contract to the contrary, the Town shall provide a health insurance program for all eligible employees in compliance with the Town’s Personnel Policy.

B. Notwithstanding any collective bargaining agreement or contract to the contrary, any eligible employee participating in the Borough’s health insurance program shall contribute a percentage of the health insurance premium at the “Year 4” rate for their annual salary as set forth in Chapter 78, P.L. 2011.

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. This Ordinance shall take effect upon final passage and publication according to law.

Vote all ayes
Motion carried

A copy of this ordinance will be published in the January 18, 2017 edition of the Hunterdon Review. A public hearing will be held February 14, 2017.

CORRESPONDENCE

1. Clinton Public School, Child Study Team is asking assistance as part of Project Child Find, where the school is obligated to make attempts to locate, identify and evaluate any children ages 3 through 5 who reside within the North Voorhees School Districts and who may have special needs to offer educational programs and services to them. CPS is asking we post notification of same.
2. Elizabethtown Gas sent notification of important contact information and a map of their territory in our area.

REPORTS FROM COUNCIL

Richard Phelan, Business Administrator

Mr. Phelan received a call from a resident who is in the process of selling his home. There is a portion of this property that belongs to the Town but has been used by the current owner and the previous owner for parking. The new buyer is interested in retaining the rights for parking. Mr. Cushing, Town Attorney,

explained that a license to use the property is an option rather than establishing an easement. Mr. Phelan will advise the potential buyer to notify his attorney to draft language. Mr. Phelan will work with the attorney.

Councilman Smith

1. Rescue Squad – reported 318 calls for December, up 55 over last December's calls.
2. Water Committee – working on filing road permits with the Department of Transportation for West Main Street water main replacement.

Working with the Clinton Township engineer to replace the water main on Glen Eagles Road, the road leading to the nursery.

3. Roads Committee – Engineer has finalized the review of the three parking lots. Six additional parking spots will be added to the Lower Center Street lot. Next month specs and estimates should be available in order to proceed with the bid process.
4. Buildings and Grounds – A new water heater and two new commodes have been installed at the Community Center.

Councilwoman Dineen

1. Clinton Guild – The kiosk has been erected near the Water Street parking lot by Eagle Scout, James Izlar. Two more will be erected on Lower Center and near the Pony Truss bridge. The Clinton Guild will be doing the maps and mailboxes will be added for brochures.

Councilwoman Sosidka

1. Historic Commission – appreciative of the new process of being notified of Land Use applications being considered. Plans will be reviewed in the Historic Commission's office space. If the members have recommendations, they will report to Roger Mellick, Chair, and Roger will report back to the Land Use Board as the liaison.

Councilman Pendergast

1. Clinton Fire Department reported 290 calls in 2016, 31 calls were level 3, estimate 11 members per response and a total of 6,118 hours of work including training and calls. Delivery of a special service unity truck has been made and funded out of the fire department's budget. Union Township was asked to donate but the request was denied.

CFD and CFARS parade is scheduled for May 20, 2017, ads are \$200 full page, \$150 ½ page and \$50 for ¼ page. Meetings for the parade are held every two weeks. Discussion continues as to having a float for Mayor and Council.

2. Sewer Department - the Halstead re-lining project has been interrupted because as builts were wrong. The new lining is in and work should resume next Monday, followed by Phase III and completion.

Councilman Carberry

1. The Board of Recreation Commission has received a citizen involvement form from Megan Johnson. A motion was made by Mr. Carberry, seconded by Ms. Dineen to appoint Ms. Johnson. The clerk will notify Ms. Johnson and the Board of Recreation chair, Rosemary Pendergast and Secretary, Nancy Smith.

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STANDBY AND OVERTIME

A motion was made by Mr. Carberry seconded by Mr. Smith to approve the standby and overtime submitted for the period of December 16 through December 29, 2016 attached to these minutes.

ROLL CALL: Ayes: Carberry, Dineen, Pendergast, Rylak, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

PAYMENT OF BILLS

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

ROLL CALL: Ayes: Carberry, Dineen, Pendergast, Rylak, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

ADJOURNMENT: there being no further business, a motion was made by Mr. Carberry, seconded by Mr. Smith to adjourn the meeting at 8:49 p.m.

Cecilia Covino, RMC/CMC
Municipal Clerk

Janice Kovach, Mayor