

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

Flag Salute.

Roll Call: Present – Carberry, Pendergast, Shea, Smith, Sosidka, Mayor Kovach  
Absent - Jones-Holt

**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 July 23, 2013 as submitted.

Vote all ayes  
2 Abstentions (Shea, Sosidka)  
Motion carried

**APPROVAL OF MONTHLY REPORTS – JULY**

A motion was made by Mr. Shea seconded by Mr. Carberry, to accept the monthly reports for the month of July 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 Report, Treasurers Report, Wastewater Treatment Plant Superintendent’s Report, and Zoning Officer’s Report.

Vote all ayes  
Motion carried

**PUBLIC COMMENT – none**

**MAYOR’S COMMENTS**

Mayor Kovach announced that any official attending the League will have to mark their calendars to attend the Women in Municipal Government Breakfast on Thursday, November 21, 2013 at 8:00 a.m. Mayor Kovach has been selected to receive the 2013 Outstanding Women in Government Award! Congratulations, Mayor Kovach!

Mayor Kovach displayed an historic book by Grandin Hood Publishers, Robin Hood as publisher. Mr. Hood is a descendant of Philip and Elizabeth Grandin. Mr. Hood will be working with Harvey Finkel of the Clinton Book Shop to publish a 150<sup>th</sup> Centennial book of Clinton for 2015’s anniversary year.

Patrick McGaheran Jr., son of Allie and Pat McGaheran, passed away suddenly last week at the age of 61. There will be a service on Wednesday, August 14 at St. Joseph’s Church in High Bridge.

**TWIN PONDS DEVELOPMENT**

Walter Wilson, Attorney for Park Valley Clinton, L.L.C. / Country View Builders, Inc. developers of Twin Ponds at Clinton, has received Planning Board approvals. Mr. Wilson is now before Council as the ordinance requested to seek input on two issues. To offer the open space to the town and to discuss the on-site sewer lines after installation and construction to be maintained by the Town.

Mr. Smith made a motion not to accept the open space property, motion seconded by Mr. Carberry.

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

Vote all ayes  
Motion carried

Regarding the sewer system, Mr. Smith made a motion that the Town does not wish to own the sewer lines within the developers property, motion seconded by Mr. Pendergast.

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

Vote all ayes  
Motion carried

Mr. Smith suggested writing a letter to the Clinton Planning Board and the Board of Adjustments, notifying them that the State of New Jersey has not given us in writing an increase in pumping allocations. This is for the Boards to keep in mind that there is no water available for future developments at this time. This motion was seconded by Mr. Carberry.

Vote all ayes  
Motion carried

**Clerk Covino had to leave the meeting to close the election polls at 7:47 p.m. CFO, Kathy Olsen, was appointed to continue taking notes of the meeting until the clerk returned.**

**PUBLIC HEARING OF ORDINANCE #13-15- VEHICLES & TRAFFIC**

A motion was made by Mr. Carberry, seconded by Mr. Pendergast, to open the public hearing on Ordinance #13-15. Mr. Cushing interjected, would Council allow him to re-write this ordinance in its present form? Mr. Cushing explained it would be protocol to have a minimum fine set as well as a maximum. Mayor Kovach asked if this ordinance should be tabled tonight and a revised ordinance be introduced at the next meeting? Mr. Cushing stated that would be the correct way to do it and will have a re-written ordinance to introduce at the next meeting, August 27, 2013. Mr. Carberry made a motion not to adopt the ordinance in its present form as suggested by Attorney Cushing, seconded by Mr. Pendergast. The amended ordinance will be on the next agenda for introduction.

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

Vote all ayes  
Motion carried

**PUBLIC HEARING OF ORDINANCE #13-16 – SEWER UTILITY**

A motion was made by Mr. Carberry, seconded by Mr. Smith, to open the public hearing of Ordinance #13-16:

SEWER UTILITY

CAPITAL ORDINANCE NO 13-16

CAPITAL ORDINANCE OF THE TOWN OF CLINTON SEWER UTILITY, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE MAKING OF IMPROVEMENTS IN, BY AND FOR THE TOWN OF CLINTON SEWER UTILITY AND APPROPRIATING THEREFOR THE SUM OF \$395,250.00 FROM THE SEWER CAPITAL IMPROVEMENT FUND RESERVE FOR FUTURE REPLACEMENTS

Vote all ayes  
Motion carried

There being no public comment, a motion was made by Mr. Pendergast seconded by Mr. Carberry to close the public portion of the meeting.

Vote all ayes  
Motion carried

A motion was made by Mr. Pendergast, seconded by Mr. Carberry to adopt Ordinance #13-16 on second reading.

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

Vote all ayes  
Motion carried

**PUBLIC HEARING OF ORDINANCE #13-17 – WATER UTILITY**

A motion was made by Mr. Carberry, seconded by Mr. Pendergast to open the public hearing of Ordinance #13-17:

**ORDINANCE # 13-17**

**CAPITAL ORDINANCE OF THE TOWN OF CLINTON WATER UTILITY, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE MAKING OF IMPROVEMENTS IN, BY AND FOR THE TOWN OF CLINTON WATER UTILITY AND APPROPRIATING THEREFOR THE SUM OF \$31,750.00 FROM THE WATER RESERVE FOR CAPITAL IMPROVEMENTS**

Vote all ayes  
Motion carried

There being no public comment, a motion was made by Mr. Pendergast, seconded by Mr. Carberry, to close the public portion of the meeting.

Vote all ayes  
Motion carried

A motion was made by Mr. Pendergast, seconded by Mr. Carberry to adopt Ordinance #13-17 on second reading.

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

Vote all ayes  
Motion carried

**PUBLIC HEARING OF ORDINANCE #13-18 – CAPITAL IMPROVEMENT FUND**

A motion was made by Mr. Pendergast, seconded by Mr. Carberry, to open the public hearing of Ordinance #13-18:

**ORDINANCE #13-18**

CAPITAL ORDINANCE OF THE TOWN OF CLINTON, AUTHOIRIZING THE MAKING  
OF IMPROVEMNETS IN, BY AND FOR THE TOWN OF CLINTON AND  
APPROPRIATING THEREFOR THE SUM OF \$7,000.00 FROM THE CAPITAL  
IMPROVEMENT FUND

Vote all ayes  
Motion carried

There being no public comment, a motion was made by Mr. Pendergst, seconded by Mr. Carberry, to close the public portion of the meeting.

Vote all ayes  
Motion carried

A motion was made by Mr. Pendergast, seconded by Mr. Carberry to adopt Ordinance #13-18 on second reading.

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

Vote all ayes  
Motion carried

**PUBLIC HEARING OF ORDINANCE #13-19 – ANIMAL LICENSING FEES**

A motion was made by Mr. Carberry, seconded by Mr. Pendergast, to open the public hearing on Ordinance #13-19:

ORDINANCE #13-19  
AMENDING THE TOWN OF CLINTON CODE BOOK CHAPTER 73-3 FEE SCHEDULE  
ANIMAL LICENSING FEES

Vote all ayes  
Motion carried

There being no public comment, a motion was made by Mr. Pendergast, seconded by Mr. Carberry, to close the public portion of the meeting.

Vote all ayes  
Motion carried

A motion was made by Mr. Pendergast, seconded by Mrs. Sosidka, to adopt Ordinance #13-19 on second reading.

ROLL CALL: Ayes: Caberry, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes  
Motion carried

**TURN THE TOWN TEAL**

The annual request to “Turn the Town Teal” creating awareness of ovarian cancer has come before Council. Teal colored ribbons to be placed around the Town for the month of September. A motion was made by Mr. Carberry, seconded by Mr. Pendergast to approve the request.

Vote all ayes  
Motion carried

**BANNER REQUEST – DOING CLINTON**

A banner request has been received from Joan Schaming to display a banner promoting Doing Clinton. The event is scheduled for September 21 and 22, 2013. The banner request is to display the banner from September 16 through September 23, 2013. A motion was made by Mr. Pendergast, seconded by Mr. Carberry to grant the request.

Vote all ayes  
Motion carried

**RESOLUTION #126-13 – REJECTION OF BIDS-MYRTLE AVENUE**

Bids were received on July 25, 2013 for the Myrtle Avenue Water Main Replacement and all bids exceeded the cost estimates. A motion was made by Mr. Smith, seconded by Mr. Carberry, to adopt Resolution #126-13 rejecting all bids and to re-bid the project.

**RESOLUTION # 126-13**

**TO REJECT ALL BIDS FOR THE  
MYRTLE AVENUE WATER MAIN REPLACEMENT PROJECT**

**WHEREAS**, the Town of Clinton (“Town”) received and opened bids for the Myrtle Avenue Water Main Replacement Project on July 25, 2013 pursuant to the authority of *N.J.S.A. 40A:11-1 et seq.*; and

**WHEREAS**, the following bids were received;

Penn Bower	\$231,726.10
Brennan Brothers	\$233,744.01
Reivax Contracting	\$289,688.90
John Garcia Construction	\$280,196.10
Mountain View Development Corp.	\$420,861.10

**WHEREAS**, *N.J.S.A. 40A:11-13.2* allows a contracting unit to reject all bids based on the fact that the lowest bid substantially exceeds the cost estimates for the goods or services;

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Town of Clinton, Hunterdon County that all bids be rejected for exceeding the cost estimates for the goods and services.

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

Vote all ayes  
Motion carried

**RESOLUTION #127-13 – AUTHORIZATION TO SUBMIT APPLICATION TO SHPO**

A motion was made Mr. Carberry, seconded by Mr. Shea, to adopt Resolution #127-13 authorizing Engineer, Robert Clerico, to submit an application to the State Historic Preservation Office for the Leigh Street Accessible Ramps/Catch Basin Upgrades Improvement Project.

**RESOLUTION #127-13**

Resolution Authorizing Robert Clerico -Municipal Engineer to Submit an Application to the State Historic Preservation Office for the Leigh Street Accessible Ramps / Catch Basin Upgrades Improvement Project

**WHEREAS**, the Town of Clinton has employed the services of Robert Clerico PE, Van Cleef Engineering Associates, for the preparation of construction documents for the Leigh Street Accessible Ramps / Catch Basin Upgrades Improvement Project; and

**WHEREAS**, these plans require approval by the State Historic Preservation Office;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Town of Clinton hereby authorize Robert Clerico, P.E., to submit the application for the Leigh Street Accessible Ramps / Catch Basin Upgrades Improvement Project and fully supports the application being made to the State Historic Preservation Office for approval.

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

Vote all ayes  
Motion carried

**CORRESPONDENCE - none**

**REPORTS FROM COUNCIL & TOWN OFFICIALS**

**Richard Phelan, Business Administrator**

1. Mr. Phelan reported that he attended a class on August 9 with the New Jersey Department of Transportation dealing with federally funded grants which the Town has applied for. A follow up meeting is scheduled and Council will be updated with information.
2. 47 Leigh Street has a transfer switch installed that in case of a power outage a generator will maintain operations.
3. Meeting with Walt Dorf, Chief of the Fire Department to discuss temporary relocation of of fire apparatus during the resealing and restriping project.

**Councilman Smith**

1. A proposed eagle scout project to undertake the dog census has been rescinded by the scout. He wishes to do a construction project, however, there is nothing appropriate for him to do. Mr. Shea suggested the scout research the Honor Roll of veteran service at the main entrance to the municipal building. Mr. Smith said that would require extensive research and did not think the scout would be inclined to take that on. Mr. Shea suggested the tree inventory and Mr. Smith stated that another scout was given Mr. Shea's contact information to discuss that project with him. Mr. Shea is waiting to hear from that person.
2. Rescue Squad reported 234 calls to date, up from last year at this time. Finance Officer, Kathy Olsen, has yet to distribute the annual allotment to the squad for the fact that the squad has yet to submit their report.

**Councilman Shea**

1. Shade Tree rescheduled their next meeting for August 26, 2013.

**Clerk Covino returned to the meeting at 8:15 p.m.**

**Councilman Pendergast**

1. A fireman's application has been received from Jackson Pyle. Mr. Pendergast made a motion to accept Jackson as a member of the fire department, seconded by Mr. Carberry.

Vote all ayes  
Motion carried

Mr. Shea questioned the membership of Jackson Pyle only that he has been with the department for years. Mr. Pendergast explained that this application was long overdue, the department is now reviewing applications and tightening the process.

2. Golf tournament being held at Heron Glen on Thursday, October 10, 2013. Tee time is 10 am. Entry fee is \$400.00 inclusive of breakfast, lunch, carts, etc.
3. Clinton Fire Department lot will have the restriping done courtesy of the Town of Clinton, however, a more reasonable price than going through the Morris County co-op was discovered. The Fire Department is able to utilize contractors that do not have to be used by public entities, therefore, the co-op price of \$2,700 has been reduced to \$850.00. The Fire Department will be reimbursed by the Town for the re-sealing of the lot.
4. A letter has been sent to the Fire Department to discuss the renegotiating of the parking lot lease. The current lease expires Spring, 2015. Two year notification is required, talks to take place in the Spring, 2014.

**Councilman Carberry**

1. Environmental Commission reviewed and approved the plans submitted for Twin Ponds Development that was given to the Planning Board.
2. The Environmental Commission is also seeking Sustainable Jersey status. Mayor Kovach has sent them a letter supporting their efforts and for creating a Green Team.
3. Mr. Carberry and Mr. Phelan are meeting with Insurance Advisor, Caroline Conboy, on Thursday, August 15, 2013, to discuss our application for renewal. Mr. Carberry has some ideas to cut costs.

**Councilwoman Sosidka**

1. Mrs. Sosidka reported that the Board of Recreation wishes to proceed with the purchase of an AED device, a portable defibrillator, to be stationed at the Community Center. Mrs. Sosidka obtained information about applying for a grant. Mr. Carberry reiterated information about such a device that it is not a one time purchase. The battery has to be replaced which is very expensive. There must be maintenance on it regularly. Training must take place for people in charge. Mr. Pendergast stated that a dedicated power service must be installed. Police Chief Matheis explained the upkeep as the police department has them in their cars. Annual training and the risk management company

has guidelines as well. It was suggested that in depth research be taken before making a purchase.

**APPROVAL OF STANDBY AND OVERTIME**

A motion was made by Mr. Smith seconded by Mr. Carberry, to approve the standby and overtime pay for the period July 19 through August 1, 2013 attached to these minutes.

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

Vote all ayes  
Motion carried

**PAYMENT OF BILLS**

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

ROLL CALL: Ayes: Carberry, Pendergast, Shea, 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. Pendergast, to adjourn the meeting at 8:25 p.m.

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Cecilia Covino, RMC/CMC  
Town Clerk

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Mayor Janice Kovach