

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

Flag Salute.

Roll Call: Present – Duffy, Insel (7:32 am) Pendergast, Shea (7:35 am), Smith, Mayor Kovach
Absent – Cohen

STATEMENT OF ADEQUATE NOTICE:

Mayor Kovach read the following statement: This Special Meeting was called pursuant to the provisions of the Open Public Meetings Law. Notice of this meeting was announced in the Hunterdon Review, and the clintonnj.gov website on. In addition, copies of notices were posted on the bulletin board in the Municipal Building and filed in the office of the Municipal Clerk on aforementioned date. Notices on the bulletin board have remained continuously posted.

PUBLIC COMMENTS

Lou Tranquilli, 11 Rupells Road, expressed sincere thanks to the Town for their response to recent Hurricane Sandy that left residents without power and numerous downed trees. Mr. Tranquilli thanked the police, department of public works, all emergency services and the Mayor for keeping residents informed. The Mayor thanked Mr. Tranquilli and echoed his praises of all emergency services and employees.

Councilman Duffy suggested a debriefing take place among council, police and emergency services, as to the way things were addressed during the hurricane. A lengthy discussion took place. Council will meet on Tuesday, November 13, 2012, and hold their regular council meeting. The Fire Department and Rescue Squad will be invited to discuss matters.

RESOLUTION #161-12 – OVERPAYMENT OF TAXES

A motion was made by Mr. Pendergast, seconded by Mrs. Insel, to adopt Resolution #161-12 as submitted:

RESOLUTION #161-12

WHEREAS, the Tax Collector of the Town of Clinton has received an overpayment for following block and lot due to Tax Court Judgment,

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 the following account and made payable as per Judgment to Clinton Unity Group, LLC c/o Skoloff & Wolfe, P.C., 293 Eisenhower Parkway, Livingston, NJ 07039:

<u>BLOCK</u>	<u>LOT</u>	<u>OWNER</u>	<u>AMOUNT</u>
22	22	Clinton Unity Group LLC	\$24,137.49

BE IT FURTHER RESOLVED that the Tax Collector remove the overpayment on the above block and lot for the 3rd & 4th quarters of 2011.

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

Vote all ayes
Motion carried

RESOLUTION #162-12 – OVERPAYMENT OF TAXES

A motion was made by Mr. Pendergast, seconded by Mr. Smith, to adopt Resolution #162-12 as submitted:

RESOLUTION #162-12

WHEREAS, the Tax Collector of the Town of Clinton has received overpayments for following block and lots due to State Tax Court Judgments,

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 overpayments to the following accounts and made payable as per Judgment to Coughlin Duffy LLP & following homeowners c/o Jonathan F. Donath, Esq., 350 Mount Kemble Avenue, P.O. Box 1917, Morristown, NJ 07962-1917.

<u>BLOCK LOT</u>	<u>OWNER</u>	<u>AMOUNT</u>
31 3.40 Condo	Muralimohan Venkatakrishna & Saritha Desu	\$1,597.19
31 9.39 Condo	Pradyut & Alpana Hansaria	\$ 684.16
31.01 18.14 Condo	Edward T. & Donna M. Sabatie	\$1,530.74
31.01 19.17 Condo	David T. & Jennifer C. Moore	\$ 423.29
31.01 26.10 Condo	Janardhan Satyanarayana & Geetha Srirangapatna	\$ 676.77
31.01 26.12 Condo	Maureen Wokwitz	\$1,373.24
31.01 26.16 Condo	Lawrence Alan Bonagudi	\$ 676.77
31.01 28.07 Condo	Umashankar Sathyanrayana	\$ 666.93
31 12.04	Mehul & Ripa Mehta	\$2,023.59
31 8.22 Condo	Esther Thambidural	\$1,250.19

BE IT FURTHER RESOLVED that the Tax Collector remove the overpayment on the above block and lots for the 4th quarter of 2011 & 4th quarter 2012.

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

Vote all ayes
Motion carried

PUBLIC HEARING OF ORDINANCE #12-10 – AMENDMENT TO FEE SCHEDULE

A motion was made by Mr. Smith, seconded by Mrs. Insel, to open the public hearing of Ordinance #12-10:

ORDINANCE #12-10

AN ORDINANCE OF THE TOWN OF CLINTON AMENDING SECTION 73-3 OF THE CODE OF THE TOWN OF CLINTON ENTITLED “FEES” TO ESTABLISH NEW FEES FOR CERTAIN RETAIL FOOD ESTABLISHMENTS

Vote all ayes
Motion carried

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

Vote all ayes
Motion carried

A motion was made by Mr. Pendergast, seconded by Mr. Duffy, to adopt Ordinance #12-10 as submitted.

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

Vote all ayes
Motion carried

PUBLIC HEARING OF ORDINANCE #12-11 – PAY TO PLAY

A motion was made by Mr. Pendergast, seconded by Mr. Smith, to open the public hearing of Ordinance #12-11:

ORDINANCE #12-11

AN ORDINANCE AMENDING THE CODE OF THE TOWN OF CLINTON TO ADD A NEW CHAPTER ENTITLED “CONTRACTS” WITH A SECTION ENTITLED “RESTRICTIONS ON AWARD OF CONTRACTS EXEMPT FROM PUBLIC BIDDING”

Vote all ayes
Motion carried

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

Vote all ayes
Motion carried

A motion was made by Mr. Pendergast, seconded by Mr. Duffy, to adopt Ordinance #12-11 as submitted.

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

Vote all ayes
Motion carried

REPORTS TO COUNCIL

Kathy Olsen, CFO

1. Mrs. Olsen contacted the State of New Jersey about extending the tax deadline but has not received a returned call. It may be possible to pass a resolution at the next council meeting of November 13, 2012, to extend it an additional five days.

Councilman Shea

1. Mr. Shea questioned Mr. Phelan as to the brush clean up schedule. Mr. Phelan explained that the DPW have two crews working with the leaf vac and the chipper until the Town is cleaned up from brush and leaves.

Councilwoman Insel

Expressed her thanks for efforts exerted during and following the storm.

STANDBY AND OVERTIME

A motion was made by Mr. Pendergast, seconded by Mrs. Insel, to approve the standby and overtime for the period October 12 through October 25, 2012 attached to these minutes.

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

Vote all ayes
Motion carried

RESOLUTION #160-12 – TRANSFER OF FUNDS

A motion was made by Mr. Pendergast, seconded by Mr. Shea, to adopt Resolution #160-12 as submitted:

RESOLUTION – #160-12

WHEREAS, it has been determined that there will be excesses in certain appropriations over and above the amount deemed to be necessary to fulfill the purpose of such appropriations for the year 2012, and it has also been determined that certain appropriations are deemed to be insufficient to fulfill the purposes of such appropriations; and

WHEREAS, N.J.S.A. 40A:4-58 provides for the transfer of the amount of such appropriations as may be deemed in excess to such appropriations as may be deemed to be insufficient; and

WHEREAS, the transfers about to be authorized do not affect any appropriations, to which or from which transfer are prohibited under the statutes;

NOW, THEREFORE, BE IT RESOLVED that the following transfers between 2012 appropriations be authorized pursuant to N.J.S.A. 40A:4-58:

	<u>From</u>	<u>To</u>
Mayor & Council – Other Expenses	\$ 1,500.00	
Municipal Clerk – Other Expenses	\$ 1,500.00	
Planning Board– Other Expenses	\$ 1,000.00	
Community Center – Other Expenses	\$ 2,000.00	
Maintenance of Parks – Other Expenses	\$ 2,000.00	
Electricity – Other Expenses	\$ 5,000.00	
Street Lighting – Other Expenses	\$ 5,000.00	
Solid Waste Disposal – Other Expenses	\$ 3,400.00	
Tax Assessment – Salary & Wages		\$ 1,500.00
Legal - Other Expenses		\$ 6,300.00
Engineering – Other Expenses		\$ 9,600.00
Affordable Housing – Other Expenses		\$ 200.00
Liability Insurance – Other Expenses		\$ 800.00
Police – Other Expenses		\$ 1,000.00
Vehicle Maintenance – Other Expenses		\$ 2,000.00
TOTALS	\$ 21,400.00	\$ 21,400.00
Water Utility – Salary & Wages	\$ 50,000.00	
NJEIT Loan Principal		\$ 44,350.00
NJEIT Loan Interest		\$ 5,650.00
Sewer Utility – Social Security	\$ 5,000.00	
Sewer Utility – Operating Expenses	\$ 2,000.00	
Bond Interest		<u>\$ 7,000.00</u>

TOTALS \$ 57,000.00 \$ 57,000.00

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

Vote all ayes
Motion carried

PAYMENT OF BILLS

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

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

Vote all ayes
Motion carried

ADJOURNMENT: There being no further business, a motion was made by Mr. Shea seconded by Mrs. Insel to adjourn the meeting at 8:02 a.m.

Vote all ayes
Motion carried

Cecilia Covino, RMC/CMC
Town Clerk

Janice Kovach, Mayor