

Mayor Janice 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. Pendergast, to approve the council meeting minutes of June 11, 2013 as submitted.

Vote all ayes  
Motion carried

A motion was made by Mr. Smith, seconded by Mr. Shea, to approve the executive session meeting minutes of June 11, 2013 as submitted.

Vote all ayes  
Motion carried

**APPROVAL OF MONTHLY REPORTS – TREASURER’S REPORT - MAY**

A motion was made by Mr. Carberry, seconded by Mr. Smith, to accept the May Treasurer’s report.

Vote all ayes  
Motion carried

**PUBLIC COMMENT**

Mr. Walter Hetzel of Hetzel Art Supply and Gallery at 34 Main Street addressed the Council about the recent issue of the young people on Main Street. Mr. Hetzel stated for at least 30 years the young people always conjugate on Main Street at the beginning and the end of the school year. Mayor Kovach said she received a call from a merchant complaining about the young people. One suggestion was for the police to patrol more often during this time period.

Councilwoman Sosidka commented on the new electrical box installed for the new yogurt place, Just Chill on Main Street, stating it is bigger than the old one and is an eye sore. She was wondering if there was anything the Town could do. Councilman Smith said there was nothing the Town could do and that someone can recommend to the owner to paint the box the color of the building so it would not stand out as much.

Mr. Frank Gallagher from the Planning Board asked if discussion was going to be made on the wording for Ordinance #13-14 concerning the wording pertaining to “story” of a building. Mayor Kovach said that will take place during the public hearing to be held at the next council meeting of July 9, 2013.

**MAYOR’S COMMENTS**

1. Mayor Kovach said she received an e-mail from a resident who owns a Chevy Volt which is a total electric car and was wondering if the Town would be interested in having a charging station installed in the Town. It was something to think about. Some issues would be liability and if it is prohibited by the Planning Board. Attorney Richard Cushing stated if it is going to be for the public it needs to be on public property. The web site with information on charging stations is chargepoint.net.
2. Mayor Kovach reported she had a name of someone who would be interested in assisting with the web site. Mayor Kovach said she will get that name to Councilwoman Sosidka who is the council representative for the web site.

**CPS SCIENCE FAIR PROJECT PRESENTATION – SAM STENTZ**

Sam Stentz an 8<sup>th</sup> grader from Clinton Public School presented his science fair project. Sam thanked Councilwoman Sosidka for inviting him to come to the council meeting to present his project and thanked the council for listening to him. Sam explained his project was about testing the waste treatment plant to make sure the water was not polluted with bacteria and endangering people. He obtained water from upstream and downstream of the waste water treatment plant. He collected samples and the results were that the upstream and downstream had a lot of natural bacteria. The output of the plant had almost no bacteria which Sam was surprised about. He thought it would have about the same. The plant cleans the water better then the river water is itself. Sam feels good about the plant that it is doing a good job on cleaning the water. The plant is not polluting the water. The council thanked Sam and said he did a terrific job on the project. Mayor Kovach requested Sam to do a condensed version of his project so it can be sent to the Department of Environmental Protection. Councilwoman Sosidka said due to his project we know the water is safe. The whole idea was very impressive and she thanked Sam for presenting his project.

**2012 ANNUAL AUDIT – GROUP AFFIDAVIT**

Mayor Kovach said all members should have reviewed the 2012 audit and that there were no comments and recommendations for this year. All should be ready to sign the group affidavit. A motion was made by Mr. Smith, seconded by Mr. Pendergast to sign the group affidavit.

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

Vote all ayes  
Motion carried

**PUBLIC HEARING OF ORDINANCE #13-12 – BOND ORDINANCE – LEIGH STREET**

A motion was made by Mr. Smith, seconded by Mr. Carberry to open the public hearing for Ordinance #13-12 as submitted:

**BOND ORDINANCE PROVIDING FOR THE LEIGH STREET IMPROVEMENT PROJECT  
IN AND BY THE TOWN OF CLINTON IN THE COUNTY OF HUNTERDON, NEW JERSEY,  
APPROPRIATING \$160,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$160,000  
BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF**

Vote all ayes  
Motion carried

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

A motion was made by Mr. Smith, seconded by Mr. Pendergast to adopt Ordinance #13-12 on second reading.

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

Vote all ayes  
Motion carried

**RESOLUTION #114-13 – AUTHORIZATION TO PURCHASE REPLACEMENT WATER  
METERS DATA RECORDERS & RADIO FREQUENCY METER INTERFACES UNITS**

A motion was made by Mr. Smith, seconded by Mr. Pendergast to adopt Resolution #114-13 as submitted:

**RESOLUTION # 114-13**

**AUTHORIZATION TO PURCHASE REPLACEMENT WATER METERS/DATA  
RECORDERS & RADIO FREQUENCY METER INTERFACE UNITS**

**WHEREAS**, the Town of Clinton is a member of the Morris County Cooperative Pricing Council; and

**WHEREAS**, Contract #47 was awarded for the above referenced items by the Town of Randolph as the Lead Agency for the Morris County Cooperative Pricing Council of which the Town of Clinton is an active participant, as authorized by N.J.S.A. 40A:11-11(6); and

**WHEREAS**, the Town of Clinton has a need to purchase various sizes and quantities of water meters for use in the Municipal Water Utility from the following vendor:

Rio Supply  
100 Allied Parkway  
Sicklerville, NJ 08081

Contract Category B, Item #9

- Neptune T-10 Water Meters with E-Coder I Integrated RF Inside
  - Item A - 5/8" x 3/4" meters
  - Item B - 1" meters

**WHEREAS**, the Chief Financial Officer has certified to the Town Clerk that sufficient funds are available.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Clinton, that a contract for the purchase of water meters is hereby authorized with Rio Supply, in an amount not to exceed \$679,195.

Vote all ayes  
Motion carried

**RESOLUTION #115-13 – AWARD CONTRACT EXTENSION TO NATIONAL METERING SERVICES**

A motion was made by Mr. Smith, seconded by Mr. Carberry to adopt Resolution #115-13 as submitted:

**RESOLUTION #115-13**

**RESOLUTION TO AWARD CONTRACT EXTENSION TO NATIONAL METERING SERVICES**

WHEREAS, the Town of Clinton did solicit bids for the Water Meter Replacement Program; and

WHEREAS, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and upon recommendation of the Town Water Engineer, National Metering Services had been determined to be the lowest responsible bidder, and a bid was awarded on October 9, 2012; and

WHEREAS, said bid had a provision to extend the contract after phase I of the project was completed; and

WHEREAS, a certificate of available funding has been presented;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Clinton, County of Hunterdon, State of New Jersey, that contract extension is hereby awarded to National Metering Services, in the amount of \$261,500.00 for the Water Meter Replacement Program, and that the Mayor and Town Clerk of the Town of Clinton are hereby authorized, respectively, to execute and attest to an agreement with National Metering Services, pursuant to bid specifications, and subject to approval by the Town Attorney.

TAKE NOTICE, that the foregoing Resolution was adopted by the Mayor and Council of the Town of Clinton, County of Hunterdon, at a regular meeting held on June 25, 2013.

Vote all ayes  
Motion carried

**RESOLUTION #116-13 – DISCHARGE OF MORTGAGE – SOHN – 8 ROLLING HILL ROAD**

A motion was made by Mr. Pendergast, seconded by Mrs. Sosidka to adopt Resolution #116-13 as submitted:

**RESOLUTION # 116-13**

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

**WHEREAS**, Dennis R. Sohn purchased a home at 8 Rolling Hill Road, Clinton, New Jersey, March 31, 1999; 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, Dennis R. Sohn executed a mortgage to the Town of Clinton Affordable Housing Authority which was recorded in Hunterdon County, New Jersey, on April 6, 1999 in Mortgage Book 1329 on page 221; and

**WHEREAS**, Dennis R. Sohn died, intestate, a resident of Hunterdon County on February 9, 2013, and Denise Reed was appointed Administratrix of the Estate of Dennis R. Sohn by the Hunterdon County Surrogate's Court of March 4, 2013; and

**WHEREAS**, on June 14, 2013, the Estate of Dennis R. Sohn sold the said property to John P. Stevens, who has executed a mortgage to the Affordable Housing Authority, which has been duly recorded;

**NOW THEREFORE BE IT RESOLVED** that the Mayor has the authority to execute a Discharge of the Mortgage given by the late Dennis R. Sohn to the Town of Clinton Affordable Housing Authority.

Vote all ayes  
Motion carried

**RESOLUTION #117-13 – AWARD BID FOR UV CONTROL CABINETS**

A motion was made by Mr. Pendergast, seconded by Mr. Carberry to adopt Resolution #117-13 as submitted:

**RESOLUTION # 117-13**

**AWARD BID FOR UV CONTROL CABINETS  
AT THE SEWER TREATMENT PLANT**

**WHEREAS**, the Town of Clinton (“Town”) received and opened bids from Ironbrook UV Corporation and Global Electrical Services, Inc. on May 7, 2013 pursuant to the authority of *N.J.S.A.* 40A:11-1 et seq.; and

**WHEREAS**, Ironbrook UV submitted the lowest bid; and

**WHEREAS**, Ironbrook UV did not include a Bid Bond or a Consent of Surety Form with its bid proposal which is a fatal omission requiring rejection of the bid pursuant to *N.J.S.A.* 40A:11-32.2; and

**WHEREAS**, Global Electrical Services, Inc., the next lowest bidder, provided all the necessary documents; and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds;

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

1. The Town of Clinton rejects the bid of Ironbrook UV Corporation received and opened on May 7, 2013 for failure to provide a Bid Bond and Consent of Surety form.
2. The Town of Clinton awards the contract for the UV Control Cabinets to Global Electrical Services, Inc. received and opened on May 7, 2013, in the amount of \$72,800.00.

Vote all ayes  
Motion carried

**RESOLUTION #118-13 – REFUND FUNDS HELD IN ESCROW – TIMOTHY MC GUIRE**

A motion was made by Mr. Smith, seconded by Mr. Carberry to adopt Resolution #118-13 as submitted:

**RESOLUTION #118-13**

**REFUND FUNDS HELD IN ESCROW ACCOUNT  
IN THE NAME OF TIMOTHY MC GUIRE**

**WHEREAS**, on October 29, 2001 Officer McGuire entered into an agreement with the County of Hunterdon regarding reimbursement of training expenses; and

**WHEREAS**, subsequent to signing that agreement Officer McGuire was advised that the hiring agreement may not be legal as it forces applicants to sign the agreement as a condition of employment and could be appealed to the Merit Systems Board; and

**WHEREAS**, the County of Hunterdon was advised on June 26, 2002 that the Town of Clinton would be deducting all monies from Officer McGuire's paycheck to be held in an interest bearing escrow account, on the advice of the Town's Attorney, until the issue is resolved; and

**WHEREAS**, the County of Hunterdon had been contacted numerous times to resolve this issue; and

**WHEREAS**, in a letter dated October 3, 2011 to the County of Hunterdon Legal Counsel from the Town of Clinton's Attorney, Richard Cushing, the Town granted the County an additional 30 day period to resolve the matter with Officer McGuire, and in that same letter notified them that if the issue was not resolved after the 30 day period, the Town intended to return the funds to Officer McGuire since the matter has been ongoing since 2002;

**NOW, THEREFORE, BE IT RESOLVED**, since the Town did not receive notification from the County that the matter had been resolved, and on the advice of the Town's Attorney, Richard Cushing, the Mayor and Council of the Town of Clinton instruct the Chief Financial Officer to return said funds in the amount of \$4,261.12.

Vote all ayes  
Motion carried

**RESOLUTION #111-13 – LEASE NEW POLICE VEHICLE**

A motion was made by Mrs. Sosidka, seconded by Mr. Pendergast to adopt Resolution #111-13 to lease a new police vehicle as submitted:

**RESOLUTION #111-13**

**WHEREAS**, the Town of Clinton wishes to lease/purchase a Police Vehicle from an authorized vender under the Cranford Co-op Purchasing Program;

**WHEREAS**, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

**WHEREAS**, Beyer Fleet has been awarded the Cranford Co-op Contract #101 Item #8;  
and

**WHEREAS**, the purchasing agent recommends the utilization of this contract on the grounds that it represents the best price available; and

WHEREAS, the actual cost for the Police Vehicle is expected not to exceed \$33,718.97;  
and

WHEREAS, the Chief Financial Officer has certified the availability of \$12,273.96 under the 2013 Current Budget, Police Department, Other Expenses, and the balance pending funding in subsequent budgets.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Clinton, that Beyer Fleet be awarded a contract for the lease/purchase of a Police Vehicle.

Vote ayes – 5  
Nayes – Shea, Sosidka  
Motion carried

**BANNER REQUEST – CHAMBER OF COMMERCE EXPO**

An application has been received from the Chamber of Commerce to display a banner for the Chamber of Commerce Expo to be held October 15, 2013. A motion was made by Mr. Pendergast, seconded by Mr. Carberry to approve the banner request.

Vote all ayes  
Motion carried

**CORRESPONDENCE**

1. A letter was received from NJ Department of Transportation requesting municipalities send representatives to a four hour presentation on grants management. Mayor Kovach suggested Rich Phelan, Business Administrator, and Councilman Dan Shea attend the seminar.
2. Mayor Kovach received a thank you letter for the Town's donation of \$150 to the Raritan Headwaters Association for our support of their 23th Annual Stream Clean Up which was held on April 20, 2013.
3. Municipal Clerks' Association of New Jersey requested the town clerks to support them in writing a letter to Governor Christie to sign the Bill S-2433/A-1857 to provide the President of the Municipal Clerks' Association or their designee to have a seat on the Government Records Council. Mayor Kovach requested the council to approve this letter. Attorney Richard Cushing suggested this was a very good bill and the council should support it. A motion was made by Mr. Carberry, seconded by Mrs. Sosidka to submit the letter supporting Bill S-243/A-1857.
4. Mayor Kovach reported Jersey Central Power and Light has a new president and they upgraded their web-site. Any information can be obtained through the website, mycontact.com. An app can be downloaded to your smart phone for information such as power outages.



## **REPORTS FROM COUNCIL & TOWN OFFICIALS**

### **Richard Phelan, PW/Business Administrator**

1. Mr. Phelan reported that the new vendor for the electronic dumpster will be sending over the contract in a couple days. When the contract is received the electronic dumpster will be available at the Waste Water Treatment Plant. It should be in place in about a week. Once the dumpster is on site a notice will be posted on the web site.

### **Councilman Smith**

1. Mr. Smith reported the Buildings and Grounds committee discussed the pole barn to finalize the material and construction costs.
2. The municipal building signage has been completed.
3. The gasoline diesel pump at the Waste Water Treatment Plant is not working properly. It is not registering which department the fuel should be allocated to. The committee is looking into installing a pump in the back of the Public Works barn with a metering system to give a computer printout of where to allocate the fuel.
4. Mr. Smith reported the Fire Department is looking into a contract to re-stripe the parking lot. The cost to the Town would be about \$1,785 for using the one side of the parking lot. Mr. Pendergast said the stripping may or may not need to be done because the Fire Department is looking into resurfacing or sealing. If they resurface it does not have to be re-stripped because the Fire Department will have to look into getting contracts for the project. If they decide to seal the lot then the stripping will have to be done this year. Mr. Pendergast said he will not know the answer for a while. The Fire Department just started discussions on this subject.
5. The Buildings and Grounds committee discussed the repairs to the front porch for the municipal building. Architects are looking into different proposals. The committee must go to the State's Historical Preservation Commission for final approval since the building is on the historic list.
6. Finance Committee met and discussed the funding for the diesel fuel pump. The money is there in the water and sewer departments.
7. Finance Committee discussed the third party payroll and to stay with Action Data. R & L wanted third party indemnification. The Town does not do third party indemnifications.
8. The Water Committee met and the design work has started for the Myrtle Avenue project in Lebanon Borough. The project will be going out to bid in August 2013.
9. The Water Department will begin hydrant flushing. Some trees will be taken down by the Lilac Drive pumphouse due to sap falling on the tank from the trees. The tank cannot be painted till the sap is cleaned up and removed.
10. The Water Quality Report has gone out to all the water customers, as well as the water restrictions for the current year. The restrictions are due to us being in a water deficient area.

11. Mr. Smith reported the Flag Day Parade was held last Friday. The rain stopped just before the parade started. Two beautiful rainbows came out over the Town. This was the 18<sup>th</sup> Annual Clinton Guild parade. The children had a great time.

12. Mr. Smith reported the Flag Retirement Ceremony was held at the Red Mill Museum also last Friday.

13. Mr. Smith asked Attorney Richard Cushing if T Mobile has gotten back with any comments about the antenna on the water tank. Mr. Phelan said several meetings back there was a resolution adopted; they signed an agreement and posted the required escrow. Mr. Cushing said they would be willing to have us participate in the process and that is very important.

### **Councilman Shea**

1. Mr. Shea reported the Roads Committee will not have a meeting in July. The next meeting will be in August.

2. The Roads Committee is moving ahead with the paver project to re-level around the Shade Trees. The list was given to Rich Phelan so the worse ones can be done first. The maintenance project is to be completed over the next three years.

3. Mr. Shea reported the Shade Tree Committee met last week and gave a list of trees to be taken down many challenged trees. Mrs. Sosidka said a resident asked her if they can donate a tree to the Town and how to go about that. Mr. Shea said yes we can do that.

4. Mr. Frank Gallagher, 31 Center Street, asked about the letter sent out to all residents on Center Street about the maintaining the blue slate sidewalks. The Town wanted to notify the residents that they need to pay attention to their sidewalks and take care off them if needed. Mr. Gallagher asked why there were pavers put by other shade trees in Town. Mr. Shea explained a program was done about 15 years ago around some areas where pavers were placed around the shade trees because the roots were constantly breaking up the sidewalks. Reasons most of the neighborhoods were built by contractors and the trees were not right next to the sidewalks.

### **Councilwoman Sosidka**

1. Mrs. Sosidka reported the Town Picnic was a great success this past Saturday. Everyone had a great time and the fireworks were the best even though the cost was reduced by \$1000.

2. Mrs. Sosidka said the Summer Recreation Program for the first time offered the option to pay weekly or for trips only. The total registrations in the program are 144 children. The breakdown is as follows 112 full registrations, 28 weekly, and 2 registered for the trips only. The Pender canoe trip was cancelled and replaced with Jimmy's ice cream and mini golf.

3. Mrs. Sosidka stated an issue was raised to have a defibrillator at the Community Center. The cost is about \$2,000 and there is a discount for non- profits which would make it \$1,500. She said can possible look into a grant to help with the cost. One of the concerns would be that the young people using the building would play with the defibrillator. There is a need for it and more discussion can be made on the issue. All concerns can be discussed at that time.

4. One of the committees to revise would be the Smart Growth Committee. A resident who was on that committee approached Mrs. Sosidka about when another meeting will be scheduled.

5. The last newsletter letter under this year's budget went out a few weeks ago. A survey was included to get the opinion of the readers about receiving the newsletter electronically or by paper. Surveys are still coming in. Ads are still being discussed to help fund the cost of the newsletter.

**Councilman Pendergast**

1. Mr. Pendergast reported the Clinton Fire Department grill night this past Friday was a success. A local band offered their services therefore there was entertainment also this past Friday. There will be no grill night for the month of July. The next night will be in August and September.

2. Mr. Pendergast reported the Fire Department conducted a coin toss at Exit 15 last Saturday between 8:00am to 12:00noon. He does not have the exact amount raised however from other years the amount ranges between \$2000 and \$3000.

3. Reporting for the Sewer Department, Mr. Pendergast stated there was a Raritan River Basin Nutrient Study conducted where water is taken up and down the Raritan River. No results have been posted yet. The new results should be out in the next 8 to 12 months. According to Sam Stentz's results from his 8<sup>th</sup> grade science project presented tonight we should have good results.

4. Mr. Pendergast would like to thank several people who helped make the Town Picnic another success. The list is as follows:

The committee members Rosemary Pendergast, Beth Sosidka, Maryann Shea, and Deb Schaffer  
Lou Tranquilli and Suburban Consulting for defraying the cost of the fireworks  
Girl Scout Troop #80828 of Clinton with leader Sheri Leiffrig for the food court  
Clinton Presbyterian Church for the craft tent  
Rita's from Route 31 for donating the Italian ice which they do every year  
Frank Hooper for allowing Dan Shea to drive the antique fire truck  
Karen Mealey and Maryann Shea for set up  
Ben and Jon Sosidka for set-up of the photo booth  
Rosemary Pendergst, Beth and Dave Sosidka for set-up and clean-up  
Art Dysart and the Public Works Department for everything  
And finally all the volunteers for their time during the picnic

**Councilwoman Jones-Holt**

1. Mrs. Jones-Holt reported the Historical Commission met and is looking into the findings for the Fox barn on Leigh Street.

2. Mrs. Jones-Holt reported the Clinton Sunrise Rotary is selling tickets to benefit the Fit Trail. Anyone interested in buying tickets can see her.

**APPROVAL OF STANDBY AND OVERTIME**

A motion was made by Mr. Pendergast, seconded by Mr. Carberry, to approve the standby and overtime pay attached to these minutes for June 7, 2013 through June 20, 2013.

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. Smith, seconded by Mr. Carberry 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. Carberry, seconded by Mrs. Sosidka to adjourn the meeting at 8:39 P.M.

Vote all ayes  
Motion carried

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Nancy A. Burgess, Deputy Clerk

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Mayor Janice Kovach