

**CLINTON TOWN COUNCIL**

**August 24, 2022**

**7:30 P.M.**

FLAG SALUTE

ROLL CALL

STATEMENT OF ADEQUATE NOTICE

1. APPROVAL OF MINUTES: Regular Council Meeting and Executive July 27, 2022  
Minutes of Special Meeting and Executive - August 19
2. APPROVAL OF MONTHLY REPORTS – JULY
3. PUBLIC COMMENTS
4. MAYOR’S COMMENTS – Resignations – Crossing Guards Bavaro and Cruse
5. REFUNDS – Water - \$40.20 / Sewer \$125.00 – Aptive \$1,700
6. INTRODUCTION OF ORDINANCE #22-10 – TOWING & STORAGE 2<sup>nd</sup> Rdg. 9/14
7. RESOLUTION #122-22 - CHAPTER 159
8. RESOLUTION #123-22 – FIREWORKS TOWN PICNIC
9. RESOLUTION #124-22 – PURCHASE OF A NEW WATER TRUCK
10. RESOLUTION #125-22 – AMENDMENT TO TEAMSTERS CONTRACT
11. RESOLUTION #126-22 – BYOB – TOWN PICNIC
12. RESOLUTION #127-22 – APPROVING WATER CAPACITY RESERVATION
13. RESOLUTION #128-22 – REFUND OVERPAYMENT OF TAXES
14. RESOLUTION #129-22 – OPPOSING THE PROPOSED INCREASES IN SHBP
15. BANNER REQUEST – CLINTON GUILD
16. SPECIAL EVENT APPLICATION – RUN O’THE MILL
17. CORRESPONDENCE – Hunterdon County and Stigma Free Task Force
18. REPORTS OF COUNCIL
19. STANDBY AND OVERTIME
20. PAYMENT OF BILLS
21. EXECUTIVE SESSION – if necessary
22. ADJOURNMENT

08/23/22

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

**ORDINANCE # 22-10**

**ORDINANCE AMENDING FEE SCHEDULES FOR TOWING  
AND STORAGE OF MOTOR VEHICLES**

**WHEREAS**, Chapter 129 of the Code of the Town of Clinton provides for the establishment of a fee schedule for towing and storage of motor vehicles by ordinance based on recommendations received by the Mayor and Council from the Chief of Police; and

**WHEREAS**, Chief Kubinak has provided recommendations on the appropriate fees to be charged for towing and storage of motor vehicles within the Town of Clinton through 2023; and

**WHEREAS**, the Mayor and Council have reviewed and accept those recommendations;

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

**SECTION 1.** The towing and vehicle storage rate schedule, found in Chapter 129, Attachment 1 of the Code of the Town of Clinton, be amended as follows (deletions noted in strikethrough ~~thus~~, and additions noted in bold italic *thus*):

## **TOWN OF CLINTON TOWING RATE & STORAGE SCHEDULE**

### Rates and Fee Schedule

1. **Light-duty day Rate (8:00 a.m. — 5:00 p.m., anytime)**  
*For vehicles with a gross vehicle weight (“GVW”) under 10,001 lbs, \$125.00 ~~\$90.00~~ per towing vehicle dispatched, plus fees for any additional service performed and \$5.00 per mile after the first 6 miles from the scene to operator’s garage. which includes towing up to six miles plus any fees for additional services performed.*  
~~\_\_\_\_\_~~  
~~\_\_\_\_\_ (mileage fee for over 6 miles from scene to operator’s garage) \$4.00 per mile.~~
2. **Light-duty night rate (5:00 p.m. — 8:00 a.m.)**  
~~\_\_\_\_\_ \$125.00 per towing vehicle dispatched, which includes towing up to six miles from scene. The night rate shall also apply to all tows on Sundays and legal holidays in the State of New Jersey.~~  
  
~~(mileage fee for over 6 miles from scene to operator’s garage) \$4.50 per mile.~~
2. **Road Service, Gas, Tire Change, Lockout, Battery Jump (Anytime):**  
~~\_\_\_\_\_ \$75.00 (8:00 a.m. — 5:00 p.m.)~~  
~~\_\_\_\_\_ \$90.00 (5:00 p.m. — 8:00 a.m.) The night rate shall also apply to all tows on Sundays and legal holidays in the State of New Jersey.~~  
*\$125 (plus cost of any material used, including but not limited to gasoline).*
3. **Medium Towing** – For motor vehicles with a ~~gross weight~~ *GVW* between 10,001 pounds to 26,000 pounds:  
~~\$215.00 per towing vehicle dispatched~~ *\$250.00 per hour with a minimum of one hour per towing vehicle dispatched* regardless of the time of day, plus ~~\$6.50~~ *\$6.00* per mile from scene, after the first 6 miles.
4. **Heavy Duty Towing with ~~Conventional~~ Wrecker (any type)** – For motor vehicles with a ~~gross weight~~ *GVW* over 26,000 pounds ~~which can be moved with a conventional wrecker:~~  
~~\$300.00~~ *\$425.00* per hour with a minimum of one hour per towing vehicle dispatched regardless of the time of day, plus ~~\$6.00~~ *\$6.50* per mile from scene, after the first 6 miles.
5. **For all Specialized Recovery Incidents requiring specialized Equipment (aside from what is listed above) for towing, storage or equipment, refer to Garden State Towing Association’s Rate chart found at [www.gsta.org](http://www.gsta.org), which are the rates established by the New Jersey State Police for tow operators on State highways,**  
  
~~5. Heavy Duty Towing with Under Reach Towing – For a motor vehicle with a gross weight over 26,000 pounds where under reach towing is required:~~  
~~\_\_\_\_\_ \$325.00 per hour with a minimum of one hour per towing vehicle dispatched regardless of the time of day, plus (\$6.00 per mile from scene, after the first 6 miles)~~
6. ~~Vehicles that are locked and in park or in gear – Additional services fee: \$35.00~~

~~7. These rates do not apply to recovery which includes impales, over turned, or off road.~~

6. Additional Work

Hourly rate, charged in quarterly increments (first 15 minutes is not billable) clean-ups, winch work, dolly work – \$75.00 per hour.

7. Storage Fees

Storage Fees become effective after the first 11 hours of a vehicle tow.

Vehicles ***with a GVW of*** less than 10,001 pounds - \$45.00 per day

All other vehicles with ***a GVW*** ~~gross weight~~ over 10,001 pounds – \$90.00 per day or part thereof.

***Indoor storage - \$90 per day.***

~~Vehicles will be released during normal business hours:~~

~~Monday – Friday (8:00 a.m. – 5:00 p.m.)~~

~~Saturday (8:00 a.m. – 12:00 p.m.)~~

~~After hours vehicle release fee – \$75.00 per vehicle~~

All towing charges noted above are from ***the*** initial ***scene*** / incident to ***the*** towing garage. Any towing to alternate sites ***shall*** ~~will~~ be negotiated between ***the*** tow operator and ***the*** customer

**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.

**RESOLUTION - # 122-22**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget and,

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for an equal amount, and,

**WHEREAS**, the Town of Clinton has received \$5,000.00 from the County of Hunterdon and wishes to amend its 2022 budget to include this amount as a revenue.

**NOW THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Town of Clinton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2022 in the sum of \$5,000.00 which is now available as a revenue from:

Miscellaneous Revenues

Special Item of General Revenue Anticipated with Prior Written

Consent of the Director of Local Government Services:

Public and Private Revenues Off-Set with Appropriations:

Rediscover Hunterdon Grant, and

**BE IT FURTHER RESOLVED**, that a like sum of \$5,000.00 is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from the .5% Cap

Public and Private Programs Off-Set by Revenues:

Rediscover Hunterdon Grant:

Other Expenses

RESOLUTION # 123-22

WHEREAS, the Town of Clinton Recreation Committee has requested permission from the Mayor and Council of the Town of Clinton, to have a Fireworks Display at the Town Picnic to be held on September 10, 2022, rain date September 17, 2022 at Hunts Mill Park, and

WHEREAS, Garden State Fireworks, Inc. has provided a Certificate of Insurance in the amount of \$5,000,000 naming the Town of Clinton as an additional insured, and

WHEREAS the Town of Clinton Recreation Committee will request the Clinton Fire Department and the South Branch Emergency Services to standby at the scene;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Town of Clinton that the Recreation Committee's request for a fireworks display at the Town Picnic on September 10, 2022, rain date September 17, 2022 at dark, be approved.

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Cecilia Covino, RMC/CMC

Municipal Clerk

**RESOLUTION # 124-22**

WHEREAS, the Town of Clinton wishes to purchase an Enclosed Service Body for the Water Truck from an authorized vender under the State of New Jersey Cooperative Purchasing;

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, the Route 23 Auto Mall has been awarded the State Contract T-3063; 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 Enclosed Servicer Body for the Water Truck is not expected to exceed \$102,138.00; and

WHEREAS, the Chief Financial Officer has certified the availability of \$102,138.00 under Ordinance #22-05,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Clinton, that Route 23 Auto Mall be awarded a contract for the purchase of an Enclosed Service Body for the Water Truck.

\_\_\_\_\_  
Mayor Janice Kovach

Adopted:  
August 24, 2022

\_\_\_\_\_  
Municipal Clerk

**RESOLUTION AMENDING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN  
THE TOWN OF CLINTON AND THE TEAMSTERS LOCAL 469**

**RESOLUTION #125-22**

**WHEREAS**, on April 28, 2021, the Mayor and Council of the Town of Clinton (Town) ratified the Collective Bargaining Agreement between the Town and the Teamsters Local 469 (Teamsters) via Resolution #84-21; and

**WHEREAS**, the Town has required all employees within the Water/Road Department to possess a Commercial Driver's License (CDL), to which all current employees are compliant; and

**WHEREAS**, based on the new regulations imposed by the Federal Motor Carrier Safety Administration (FMCSA) on February 7, 2022, any new applicant wishing to obtain a CDL can no longer do so in the manner historically used to obtain this license and must complete a costly and lengthy training process; and

**WHEREAS**, as a direct result of this new Federal requirement, the Town had several vacancies within the Water/Roads Department that they have been unable to fill for over six (6) months; and

**WHEREAS**, the Town recognizes the need to have a sufficient number qualified and trained employees within their Department of Public Works in order to adequately provide services to the residents of Clinton; and

**WHEREAS**, the Town currently has a sufficient number of employees who possess CDL's; and

**WHEREAS**, the Town of Clinton and Teamsters Local have subsequently agreed to make certain changes to the terms and conditions of the Collective Bargaining Agreement, specifically amendments to "Schedule A" by creating a new, separate rate of pay for employees that do not possess a CDL who are assigned to the Water/Roads Department without penalizing existing employees in this department who have obtained their CDL already; and

**WHEREAS**, the Town and Teamsters have executed a Memorandum of Understanding approving the attached changes; and

**WHEREAS**, upon adoption of this resolution,

1. All references to "Schedule A" in the Collective Bargaining Agreement shall now refer to the amended version referenced herein.
2. All existing terms and conditions not referenced in this Resolution shall remain in full effect and cannot be altered or amended without the mutual consent of the Town of Clinton and the Teamsters Local 469.; and

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and Council hereby authorize and ratify the amendments to the Collective Bargaining Agreement between the Town of Clinton and Teamsters Local 469 as more fully described in the preceding paragraphs in this Resolution, which are expressly incorporated herein by reference.

**BE IT FURTHER RESOLVED** that the Town of Clinton shall enter into and execute an amended Collective Bargaining Agreement incorporating the amendments set forth in this Resolution.

**BE IT FURTHER RESOLVED** that the provisions of this Resolution are expressly conditioned on Teamsters Local 469 having approved the aforesaid amendments to the Collective Bargaining Agreement, and the provisions contained herein shall have no force or effect absent such approval by Teamsters Local 469.

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the Town of Clinton Chief Financial Officer and the Teamsters Local 469.

\_\_\_\_\_  
Janice Kovach, Mayor

ATTEST:

\_\_\_\_\_  
Ceil Covino, RMC/CMC Town Clerk



RESOLUTION # 126-22

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 Town Picnic to be held on September 10, 2022, rain date September 17, 2022 beginning at 3:00 PM

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Janice Kovach  
Mayor

ATTEST:

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Cecilia Covino, RMC/CMC  
Town Clerk

**RESOLUTION # 127-22**

**RESOLUTION APPROVING WATER CAPACITY RESERVATION  
APPLICATION # L22-03**

**WHEREAS**, on March 24, 2015, the Mayor and Council of the Town of Clinton adopted Ordinance 15-1, which amended Chapter 142 of the General Ordinances of the Town of Clinton by creating procedures for applying for and receiving approval for water reservations; and

**WHEREAS**, the Town has received Water Reservation Application # L22-03, dated July 25, 2022, submitted in the name of Hunterdon County Vocational School District, (Township of Clinton, Block 79, Lot 1, Tax Map Page 13); and

**WHEREAS**, on August 11, 2022, the Town's Water Consulting Engineer, Suburban Consulting Engineers, informed the Town of Clinton Water Committee of their recommendation of approval of the afore-mentioned application which proposes a new Hunterdon County Vocational School with a total projected gross floor area of 34,150 square feet; and

**WHEREAS**, on August 17, 2022, the Town's Water Committee held their monthly meeting in which they have reviewed the application; and

**WHEREAS**, as the Town's Water Committee is satisfied with the information outlined by Suburban Consulting Engineers, the application is deemed complete, to which they have granted a final approval and have imposed the conditions listed in Suburban Consulting Engineers August 11, 2022 letter.

**NOW, THEREFORE BE IT RESOLVED**, that in accordance with Chapter 142, Section 1, Sub-section J(3) of the Town's Ordinances, the Mayor and Council hereby approves Water Reservation Application # L22-03 in the amount of 4,425 GPD for a period of twelve (12) months.

**BE IT FURTHER RESOLVED**, that certified copies of this resolution be provided to the Applicant, Suburban Consulting Engineers, and the Town of Clinton Superintendent of Water.

**TOWN OF CLINTON**

**RESOLUTION # 128-22**

**WHEREAS**, the Tax Collector of the Town of Clinton has received overpayments for following block and lots due to overbilled/merged into main lot,

**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:

| <b><u>BLOCK</u></b> | <b><u>LOT</u></b> | <b><u>OWNER</u></b>                 | <b><u>AMOUNT</u></b> |
|---------------------|-------------------|-------------------------------------|----------------------|
| 14                  | 32 QFARM          | Ambe Holdings of Clinton, LLC       | 563.71               |
| 21                  | 29                | Old 22 Urban Renewal Associates LLC | 2,650.34             |

**BE IT FURTHER RESOLVED** that the Tax Collector remove the overpayments on the above block and lots for the 3<sup>rd</sup> qtr 2022.

I, Cecilia Covino, Clerk of the Town of Clinton, do hereby certify the foregoing to be a true copy of a resolution adopted by the Town of Clinton Mayor & Council at a meeting on August 24, 2022.

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Cecilia Covino, RMC, CMC  
Town Clerk

## **TOWN OF CLINTON**

### **RESOLUTION 129-22**

#### **Resolution Opposing the Proposed Increases to the State Health Benefits Program**

WHEREAS, the State Health Benefits Program (SHBP), governed by N.J.S.A. 52:14-17.25 et seq., offers medical, prescription drug, and dental coverage to qualified State and participating local government public employees, retirees, and eligible dependents; and

WHEREAS, all SHBP plans are self-funded meaning that the money paid out for benefits comes directly from a SHBP fund supplied by the State, participating local employers, and member premiums; and

WHEREAS, the Division of Pensions and Benefits is responsible for the daily administrative activities of the SHBP, the State Health Benefits Commission is the executive organization responsible for overseeing the SHBP; and

WHEREAS, the State Health Benefits Commission, comprised of state officials and union representatives, annually consider the calendar year premium levels for the Local Government Employer Group of the SHBP based on recommendations found in the Rate Setting Recommendation Analysis of the Local Government Employee Group; and

WHEREAS, the preliminary rate increase for the 2023 Local Government Employer Group is 22.8%, which includes a 21.6% increase for Active, a 13% increase in Early Retiree, and a 0.7% increase for Medicare Retiree; and

WHEREAS, subsequent news accounts has Department of Treasury noting “rates for active members and early retirees would likely be increase between 12-20% across the various plans for the upcoming year”; and

WHEREAS, such proposed exorbitant rate increases will fall upon the local property taxpayer along with the local public employees at a time where there is record inflation, and

WHEREAS, the proposed premium increase for most active employees will take thousands more out of their paychecks annually and lead to huge costs for local governments that will translate into higher property tax bills for struggling families; and

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Town of Clinton in the County of Hunterdon call up the State Health Benefit Commission to reconsider the rate increase and strike a rate increase that is appropriate in the current economic conditions; and

BE IT FURTHER RESOVLED, that the governing body of the Town of Clinton in the County of Hunterdon, urge the legislature to adopt legislation expanding the composition of the State Health Benefits Commission to include representatives from both municipal and county government management; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Governor Murphy, State Treasurer Muoio, Senate President Scutari, Assembly Speaker Coughlin, Michael Doherty, John DeMaio and Erik Peterson, and New Jersey State League of Municipalities.