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Flag Salute.

Roll Call: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Traphagen, 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."

**Mayor Kovach welcomed the public to the meeting and explained how the meeting will be run by reading the following statement :**

NJSA 10:4-8(b) authorizes municipalities to conduct public meetings through use of streaming services and other online meeting platforms. Recently adopted P.L. 2020, c.11 amends OPMA to clarify that in times of emergency public bodies may vote, accept public comment and cause a meeting to be open to the public via electronic means.

The Town of Clinton is using ZOOM Video Meetings. Please be aware that this meeting is being recorded for the public record.

We will continue to address all questions and comments for any topic that is not on the current agenda during public comments as well as comments during public hearings for any ordinances.

Please use the chat feature in ZOOM to indicate that you wish to be recognized for a comment or a question. You must provide your name and address to be recognized. You can also type in your questions. Feel free going forward to email [councilmeeting@clintonnj.gov](mailto:councilmeeting@clintonnj.gov) with any questions or concerns between meetings.

We ask that you keep your device muted until called upon by council. The meeting's moderator may also mute participants.

The mayor and council will respond to all votes via roll call with the exception of opening and closing of public hearings will be a voice vote.

The Mayor and Council will respond to all votes by raising hands or via roll call.

Please feel free to reach out with a note at [jkovach@clintonnj.gov](mailto:jkovach@clintonnj.gov) anytime!

**APPROVAL OF MINUTES**

A motion was made by Ms. Johnson, seconded by Mr. Traphagen, to approve the minutes of January 27, 2021 as submitted.

Vote all ayes  
Motion carried

**APPROVAL OF MONTHLY REPORTS – JANUARY**

A motion was made by Ms. Intrabartola, seconded by Ms. Dineen, to approve the monthly reports for the month of January as submitted:

Administrator's Report, Animal Licensing, Clerk's Account, Construction Control / Inspection Report, Police Report, Tax Collector's Report, Zoning Officer Report.

Vote all ayes  
Motion carried

**PUBLIC COMMENTS – NONE**

**MAYOR'S COMMENTS**

Mayor Kovach attended the meeting with the National League of Cities with congressional leadership, to discuss federal legislation that would provide funding directly to municipalities regardless of population. Also discussed was the importance of infrastructure funding and broadband access.

COVID transmission rate in the State of New Jersey is .82

New Jersey legislation S-1 is a shared bill moving through the NJ legislature that would impact a Town's state aid if they refused shared services. The league is watching and will provide moments to the sponsors.

Another piece of legislation is the redevelopment that would require any project that is a redevelopment, tax abatement, PILOT would require a prevailing wage – would have an impact to municipalities and the league is opposing this. A sample resolution expressing opposition will be forthcoming.

Liquor license reform legislation is moving through the committee, the League has a work group of elected official working with the sponsors.

Cannabis legislation has a due date of February 18, 2021 to be signed or VETO'd by the Governor. The outstanding issue is penalties for underage consumption.

COVID vaccinations will be available through some CVS and Walgreen locations. Residents can sign up through their website.

Comcast has begun notifying residents that there will be overage charges beginning in July for use in excess of 1.2 terabytes and will show up in the August bills. The following was provided.

Comcast Municipal Representative, Rob Clifton, explained the changes as follows:

**"At the end of last year, we (Comcast) began to inform customers we would introduce a data plan that has been in place for years across the country, except in Northeast Division. Customers would not be billed until April, giving them ample time to evaluate their usage and needs.**

**1.2 TB is a massive amount of data, and customers can do a lot with it in one month. For example, with 1.2 TB of data, a customer can video conference for 3,500 hours, watch 1,200 hours of distance learning videos, or stream 500 hours of high-definition video content a month. Indeed, even during this pandemic, only a small percentage of our customers are using more than 1.2 TB per month. Although usage fluctuates over time, the typical Xfinity Internet customer tends to use less than 400 GB per month, which does not even come close to 1.2 TB of data.**

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Over the past few weeks, we have come to understand that even with the extensive notice period we were providing – it would be helpful for customers to have a longer runway to understand the new plan and then make any necessary changes, based on their needs.

The first month in which a customer's data usage could possibly result in charges will be July, and any such charges would not appear until their August bill.

This delay in implementation provides all customers with six months to understand their data usage."

**PUBLIC HEARING OF ORDINANCE #21-01 – AMENDING DEVELOPMENT FEES**

A motion was made by Mr. Humphrey, seconded by Ms. Dineen, to open the public hearing of Ordinance #21-01:

**ORDINANCE # 21-01  
AN ORDINANCE AMENDING DEVELOPMENT FEE ORDINANCE**

Vote all ayes  
Motion carried

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

Vote all ayes  
Motion carried

A motion was made by Ms. Johnson, seconded by Ms. Karsh, to adopt Ordinance #21-01 on final reading.

ROLL CALL: Ayes: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach

Vote all ayes  
Motion carried

**PUBLIC HEARING OF ORDINANCE #21-02 – AMENDING MF-1 ZONING DISTRICT**

A motion was made by Ms. Dineen, seconded by Ms. Johnson, to open the public hearing of Ordinance #21-02:

**ORDINANCE # 21-02  
AN ORDINANCE AMENDING THE MF-1 ZONING DISTRICT**

Vote all ayes  
1 Abstention (Intrabartola)  
Motion carried

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

Vote all ayes  
1 Abstention (Intrabartola)  
Motion carried

A motion was made by Mr. Humphrey, seconded by Ms. Dineen, to adopt Ordinance #21-02 on final reading.

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ROLL CALL: Ayes: Dineen, Humphrey, Johnson, Karsh, Traphagen, Mayor Kovach  
Abstain: Intrabartola

Vote all ayes  
1 Abstention (Intrabartola)  
Motion carried

**PUBLIC HEARING OF ORDINANCE #21-04 – PILOT AGREEMENT**

A motion was made by Mr. Humphrey, seconded by Ms. Intrabartola, to open the public hearing of Ordinance #21-04:

**ORDINANCE #21-04**

**ORDINANCE AUTHORIZING A TAX ABATEMENT AND PILOT AGREEMENT WITH OLD  
22 URBAN RENEWAL ASSOCIATES, LLC**

Vote all ayes  
1 Abstention (Karsh)  
Motion carried

Geoff Long, Development Principal for Ingerman and Katherine A. Coffey, Esq. , of Day Pitney LLC, attended the meeting to answer any questions that might arise regarding the public portion of this ordinance. Mayor Kovach congratulated Mr. Long on the birth of his son. No other questions were posed and a motion to close the public portion was made by Mr. Traphagen, seconded by Ms. Johnson.

Vote all ayes  
1 Abstention (Karsh)  
Motion carried

A motion was made by Ms. Dineen, seconded by Ms. Johnson, to adopt Ordinance #21-04 on final reading. This ordinance will become effective twenty (20) days after its final passage and publication.

ROLL CALL: Ayes: Dineen, Humphrey, Intrabartola, Johnson, Traphagen, Mayor Kovach  
Abstain: Karsh

Vote all ayes  
1 Abstention (Karsh)  
Motion carried

**PUBLIC HEARING OF ORDINANCE #21-05 – RECREATION COMMITTEE**

A motion was made by Ms. Intrabartola, seconded by Ms. Johnson, to open the public hearing of Ordinance #21-05:

**ORDINANCE #21-05**

**ORDINANCE ABOLISHING THE RECREATION COMMISSION AND ESTBALISHING A  
RECREATION COMMITTEE**

Vote all ayes  
Motion carried

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

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Vote all ayes  
Motion carried

A motion was made by Mr. Humphrey, seconded by Ms. Intrabartola, to adopt Ordinance #21-05 on final reading.

ROLL CALL: Ayes: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach

Vote all ayes  
Motion carried

**RESOLUTION #48-21 – AUTHORIZATION TO CHARGE CREDIT CARD PROCESSING FEES**

A motion was made by Ms. Dineen, seconded by Ms. Johnson, to adopt Resolution #48-21 as submitted:

**RESOLUTION # 48-21**

**RESOLUTION AUTHORIZING THE TOWN TO CHARGE CREDIT CARD PROCESSING FEES**

**WHEREAS**, the Town of Clinton accepts credit cards for the payment of tax and utility bills; and

**WHEREAS**, the Town's electronic payment processing vendor, Edmunds & Associates, charges a convenience fee in the amount of 2.95% of the payment, which fee is retained by the vendor and not paid to the Town; and

**WHEREAS**, the charging of such processing fees is permitted by N.J.A.C. 5:30-9.9, but must be authorized by ordinance or resolution.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Town of Clinton, County of Hunterdon, New Jersey, that the Town is authorized to charge the above-referenced processing fee for credit card payments, which fee shall be retained by the Town's electronic payment processing vendor.

ROLL CALL: Ayes: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach

Vote all ayes  
Motion carried

**RESOLUTION #49-21 – TREATMENT WORKS APPROVAL**

A motion was made by Mr. Humphrey, seconded by Ms. Intrabartola, to adopt Resolution #49-21 as submitted:

**RESOLUTION #49-21**

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE STATEMENTS OF CONSENT TO SUPPORT THE SUBMISSION OF THE TREATMENT WORKS APPROVAL APPLICATION TO THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION WITH REGARDS TO OLD 22 URBAN RENEWAL ASSOCIATES LLC'S PROPOSED MIXED USE DEVELOPMENT – BLOCK 21 LOTS 29, 30.01, 31, 32, 33**

**WHEREAS**, there is a need to apply for Treatment Works Approval from the State of New Jersey Department of Environmental Protection Division of Water Quality in connection with the Proposed Mixed Use Development by Old 22 Urban Renewal Associates LLC in the Town of Clinton (the “Project”); and

**WHEREAS**, the Town of Clinton is required to consent to the filing of the Treatment Works Approval Permit Application for the Project.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Clinton that the Mayor is authorized to sign for the Governing Body at appropriate locations on the NJDEP WQM-003 Statements of Consent Form for the Treatment Works Approval Permit Application to be filed in connection with for the Project.

ROLL CALL: Ayes: Dineen, Humphrey, Intrabartola, Johnson, Traphagen, Mayor Kovach  
Abstain – Karsh

Vote all ayes  
1 Abstention (Karsh)  
Motion carried

**CORRESPONDENCE - NONE**

**REPORTS OF COUNCIL**

**Councilwoman Johnson**

School Board rescheduled to February 17, 2021. Once again, Ms. Johnson thanked teachers and staff for all they do especially during these unprecedented times keeping education and the children a priority!

Sewer Committee – meeting rescheduled.

Buildings and Grounds – great job by Mr. Phelan, Mr. Dysart and the DPW men for keeping up with the snow and ice storms that have been plaguing the area! Also, to the Chief and his men, and the emergency services squads! Hats off to everyone!

**Councilwoman Intrabartola**

Board of Recreation is working on sub committees for all the events planned for the year. Ms. Intrabartola is working with David Kelleher, Secretary, on establishing by laws.

**Councilman Traphagen**

South Branch Emergency Services reported 262 calls for January. Amazing rescue at Round Valley recently, kudos to the squad for their quick and life saving response. This comes as proof of the squads training and the recently reported practice at the pond.

Historic Commission - Mr. Traphagen followed up with Paul Muir, Executive Director of the Red Mill and the President of the Clinton Guild. The Governor recently signed a new economic development program for the State and is now working on a Historic Property Reinvestment Act. It is currently focused on commercial properties but this would encourage historic property owners to be included and receive a historic tax credit. The Commission is attempting to push out this information to eligible property owners.

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**Councilwoman Karsh**

Clinton Guild is hosting Sweetheart's Week, February 7 through 14<sup>th</sup>! A new store will be moving into Healy's Crystal, Karen's Doll House Store. Better communication between the guild was encouraged regarding events so they may be sharing on the town's calendar to be promoted and added to the town's newsletter. Other groups are welcome to promote events as well, such as the Rotary or Friendly Sons of St. Patrick. Ms. Karsh discussed this with Mr. Humphrey and agree it is a good idea.

Economic Development Commission – discussed the grant and the economic sustainability study which the commission will be moving ahead with. Professionals are beginning to review documents provided. The commission will be sending over additional information and begin with forming small focus groups. Ms. Karsh also sits on the technical advisory committee of the Highlands Council for their regional economic study. They are also interested in the re-development area for review so Ms. Karsh will be working with Councilwoman Dineen on that to make sure our Town is well represented.

The 22/78 Committee has their first meeting of the new year and they are looking to focus on attracting more home base businesses as an economic force and looking at the infrastructure of the county.

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As an aside, Ms. Karsh reported she has been getting phone calls from residents complaining that not all homeowners or businesses are getting to clearing their sidewalks. Mr. Phelan and Chief Kubinak have been notified and everyone is asked to spread the word. Lastly, skateboarding has returned! However, it is not allowed on porches and the properties belonging to business.

**Councilwoman Dineen**

Roads – Bids for Georges Place Project are being reviewed and will be awarded at the next meeting. Continue working on filings for the Union Road project. Committee doing research to apply for discretionary aid for improvements, especially under the Route 78 overpass.

Land Use meets next week, will report following the meeting.

**Councilman Humphrey**

Environmental Commission did not have their last meeting but have recruited two new members.

Clinton Fire Department – meeting of Council with the fire department will be held Monday, February 22, 2021 at 7:30 p.m. at the fire department on New Street. The meeting will open and immediately go into executive session.

Newsletter – articles please! Friday deadline! Ms. Intrabatola will be doing an interview with volunteers which will be a fun feature! Send in articles of 300-500 words and photos are welcomed as well.

**STANDBY AND OVERTIME**

A motion was made by Mr. Humphrey, seconded by Ms. Johnson, to approve the standby and overtime attached to these minutes for the period of January 22 through February 4, 2021.

ROLL CALL: Ayes: Dineen, Humphrey, Intrabatola, Johnson, Karsh, Traphagen, Mayor Kovach

Vote all ayes  
Motion carried

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**PAYMENT OF BILLS**

A motion was made by Ms. Dineen , seconded by Ms. Intrabartola, to approve the voucher list as attached to these minutes .

ROLL CALL: Ayes: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach

Vote all ayes  
Motion carried

**ADJOURNMENT**

There being no further business, a motion was made by Mr. Traphagen, seconded by Ms. Dineen, to adjourn the meeting at 8:10 p.m.

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Cecilia Covino, RMC/CMC  
Municipal Clerk

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Janice Kovach, Mayor