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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 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 anytime!

SWEARING IN OF OFFICER MELISSA TORNBURG

A wonderful gathering of friends and family of Melissa Tornberg attended this evening to support and witness the swearing in of our new 10th Class Officer Patrolman Tornberg! Mayor Kovach read the Oath of Office to Ms. Tornberg while her husband, Jason and daughter, Lillian, held the Bible! A round of applause from the Council and all Melissa's guests!

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APPROVAL OF MINUTES

A motion was made by Ms. Dineen, seconded by Ms. Intrabartola, to approve the minutes of February 22, 2021 as submitted.

Vote all ayes
Motion carried

APPROVAL OF EXECUTIVE MINUTES

A motion was made by Ms. Dineen, seconded Ms. Karsh, to approve the executive session minutes of February 22, 2021 as submitted.

Vote all ayes
Motion carried

APPROVAL OF MONTHLY REPORTS – FEBRUARY

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

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

Vote all ayes
Motion carried

PUBLIC COMMENTS – NONE

MAYOR'S COMMENTS

Mayor Kovach reported that Governor Murphy announced increased capacity limits for indoor businesses and indoor and outdoor gatherings going into effect Friday, March 19, 2021 at 6:00 a.m. Indoor capacity limits increase from 35 percent to 50 percent excluding employees. Indoor gathering increase 10 to 25 people and outdoor gatherings 25 to 50 people.

Mayor Kovach met with three other Bipartisan New Jersey Mayors highlighting the overwhelming need for President Biden's American Rescue Plan and the relief communities need which is finally on the way. Biden's Rescue Plan will not only dramatically bolster vaccination efforts to defeat the virus and provide \$1,400 direct relief checks to struggling Americans, but it also sets aside \$350 billion in direct assistance to state and local governments to keep essential services up and running and local municipalities above water. The \$1,400 in direct payments will be to individuals making less than \$75,000 and couples making less than \$150,000. Adult dependents, citizen spouses and children living in mixed-status families are also eligible.

RESOLUTION #56-21 – WATER CAPACITY RESERVATION – SNG PROPERTIES

A motion was made by Mr. Traphagen, seconded by Ms. Dineen, to adopt Resolution #56-21 as submitted:

RESOLUTION # 56-21

RESOLUTION APPROVING WATER CAPACITY RESERVATION

APPLICATION # L20-12

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

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WHEREAS, the Town has received a completed Water Reservation Application # L20-12, dated November 25, 2020, submitted in the name of SNG Properties/Tejomaya, LLC (Town of Clinton, Block 3, Lot 2, Tax Map Page 1, located at 111 West Main Street); and

WHEREAS, on December 9, 2020, the Town's Water Consulting Engineer, Suburban Consulting Engineers, informed the Town of Clinton Water Committee of their recommendation of a conditional approval of the afore-mentioned application which proposes development of a 110 Unit Assisted Living Facility; and

WHEREAS, pursuant to Ordinance 15-1, the Town's Water Committee has up to ninety (90) days to approve or deny an application; and

WHEREAS, on February 17, 2021, the Town's Water Committee held their monthly meeting in which they have reviewed and granted **CONDITIONAL** approval of said application with the following conditions:

- Once the site ceases operation as a hotel, the site shall be granted a reservation of water supply in an amount not to exceed 11,280 gpd. The applicant shall submit copies of all site approvals and associated plans to the Water Department. The applicant shall prepare water demand calculations in accordance N.J.A.C. 7:10-12.6 for the approved plans and submit to the Water Department for their review. If the average day demands for the proposed facilities as calculated for the approved plans exceed 11,280 gpd the applicant shall apply for a separate water reservation for the amount in exceedance.

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 # L20-12 in the amount of 11, 280, to which said approval is valid 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.

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

Vote all ayes
Motion carried

RESOLUTION #57-21 CHECK ISSUANCE

A motion was made by Mr. Humphrey, seconded by Ms. Intrabartola, to adopt Resolution #57-21 as submitted:

RESOLUTION #57-21

AUTHORIZATION TO ISSUES CHECKS TO THE STATE OF NEW JERSEY

FOR PUBLIC WATER TAX (PWT)

WHEREAS, the Town of Clinton has to pay a quarterly Public Water Tax to the State of New Jersey; and

WHEREAS, the Town of Clinton's Council meetings are held on the second and fourth Wednesday of each month for the payment of bills; and

WHEREAS, the Council meetings do not always coincide with the due date for the PWT payment, which may result in the Town receiving a penalty charge;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Town of Clinton that the Chief Financial Officer be authorized to issue a check payable to the State of New Jersey – PWT for the amount required;

BE IT FURTHER RESOLVED, that the Mayor be authorized to sign said check providing that the voucher for said payment be included on the bill list for approval at the next Council Meeting.

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

Vote all ayes
Motion carried

RESOLUTION #58-21 – CANCELLATION OF LIEN

A motion was made by Ms. Karsh, seconded by Ms. Johnson, to adopt Resolution #58-21 as submitted:

RESOLUTION # 58-21

WHEREAS, the Tax Collector of the Town of Clinton has been paid \$75,142.56, the amount necessary to redeem Tax Sale Certificate #2017-6 on Block 5, Lot 5 assessed to Robert & Lisa Muldowney ETALS and purchased by US Bank Custodian BV002 Trust & Crdtrs then assigned to BV002 REO Blocker, LLC.

NOW THEREFORE BE IT RESOLVED, on this 10th day of March 2021 by the Mayor and Council of the Town of Clinton, County of Hunterdon, that the Chief Financial Officer be authorized to issue a check in the amount of \$75,142.56 (Certificate) and \$11,700.00 (Premium) to BV002 REO Blocker, LLC, 50 South 16th Street, Suite 2050, Philadelphia, PA, 19102, upon receipt of the Original Tax Sale Certificate endorsed for cancellation, and

BE IT FURTHER RESOLVED that the Tax Collector be authorized to cancel Lien #2017-6 on Block 5, Lot 5, assessed to Robert & Lisa Muldowney ETALS, from the Town of Clinton Tax Records.

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

Vote all ayes
Motion carried

RESOLUTION #59-21 – HIRING OF SEWER LABORER

A motion was made by Ms. Dineen, seconded by Ms. Intrabartola, to adopt Resolution #59-21 as submitted:

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RESOLUTION # 59-21

WHEREAS, the Town of Clinton Sewer Department requires the hiring of one new Laborer,
and;

WHEREAS, the position was advertised for, applications accepted and interviews performed,
and;

WHEREAS, the Sewer Superintendent recommends that the following person be hired to fill the
open position at a rate of \$18.40 per hour;

JEFFREY DYSART

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Clinton
hire Jeffrey Dysart to fill the open position of Laborer effective March 29, 2021.

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

Vote all ayes
Motion carried

RESOLUTION #60-21 – OPPOSITION TO SENATE BILL 53375

A motion was made by Mr. Traphagen seconded by Ms. Dineen, to adopt Resolution #60-21 as
submitted:

RESOLUTION #60-21

RESOLUTION IN OPPOSITION TO SENATE BILL 53375

WHEREAS The Statewide Insurance Fund ("Fund") was created to provide a cost-
efficient means of supplying workers' compensation benefits to injured municipal and other
public employees including emergency volunteers; and

WHEREAS, the Fund is not a traditional, profit-making insurance company, but rather
is composed of individual municipalities, counties, municipal utilities authorities and other local
government entities whose budgets are all funded by taxpayer or public rate payers; and

WHEREAS, because the Fund's members are funded, in large, by tax dollars, and
because the Fund has determined that Senate Bill 3375 will increase workers compensation
costs drastically, creating an undo burden to the taxpayers and rate payers of its members;
and

WHEREAS, Senate Bill 3375 requires significant changes to the Workers'
Compensation Act where current law already has provisions in place to protect injured
workers from claim abuse and requires all reasonable and necessary medical care be provided
in a timely manner, subject to penalty; and

WHEREAS, Any communications between the patient, a physician, a joint insurance
fund, an insurance carrier and its representative, are already governed by Court Rules, the
rules of evidence, and both medical and legal ethical standards; and

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WHEREAS the hallmark of the New Jersey Workers Compensation Act is the obligation of the employer to provide medical benefits to an injured worker, as long as the injury or illness arises out of and in the course of employment, tantamount with the obligation to provide medical care, is the employer's statutory right to authorize the medical provider and the treatment to be administered. This bill would do nothing more than shift the entire balance of an already equitable system, to one side, to the detriment and greater cost of the employer.

WHEREAS Senate Bill 3375 will not serve the interest of the taxpayers and rate payers in New Jersey because it will increase the costs associated with workers' compensation claims be at least 35% and these costs will be borne by the taxpayers of individual municipalities, counties, municipal utilities authorities and other public rate payers.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Clinton strongly opposes the adoption of Senate Bill 3375 and urges the Governor, State Senators and Assemblymen to protect taxpayers and rate payers from unnecessary and unwarranted charges; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that a copy of this resolution be sent to the following:

1. The Honorable Phillip Murphy, Governor;
2. All members of the New Jersey State Senate;
3. All members of the New Jersey State Assembly;
4. Statewide Insurance Fund

Vote all ayes
Motion carried

INTRODUCTION OF ORDINANCE #21-08 – CROSS STREET BANNER REGULATIONS

A motion was made by Ms. Intrabartola, seconded by Ms. Karsh, to introduce Ordinance #21-08 on first reading as submitted:

TOWN OF CLINTON

HUNTERDON COUNTY, NEW JERSEY

ORDINANCE # 21-08

WHEREAS, the Mayor and Council of the Town of Clinton desire to amend the Code of the Town of Clinton to clarify the restrictions on hanging a cross-street banner on East Main Street.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Clinton, the County of Hunterdon, that the Code of the Town of Clinton "Code") is hereby amended as follows:

SECTION 1. Section 122-42 of the Code, entitled “Banners over public roads” is hereby amended as follows: (1) those portions of the Code set forth below are hereby amended as follows (additions noted in bold italics *thus* and deletions noted in strikethrough ~~thus~~); and (2) portions of the Code not set forth below shall remain unchanged:

A. ***Signs or banners shall not be stretched, hung, or otherwise placed over or across any public road, except when authorized by a Street Banner Permit issued by the Town.*** The Mayor and Council may permit banner signs to be placed over the west end of East Main Street, subject to the following conditions:

1) Any organization wishing to erect ***install*** a banner ***pursuant to this Section*** shall complete an application and file it with the Town Clerk at least 30 days prior to the date on which the sign ~~banner~~ will be ***installed*** erected. ***The application shall contain the following information:***

2) ***Cross street banners installed pursuant to this section must adhere to the following specifications. Each banner shall have two double stitched reinforced hems, wind slits, and connect to building with rope placed through the upper and lower hems.*** The size of the banner sign shall not be greater than 24 feet long and four feet high and shall have a square footage no larger than 96 square feet. ***However, banners must be at least forty-five (45) feet long in total to the end of the ropes. Banners may be double-sided. For double-sided banners, only one face of the banner shall be counted in determining square footage. Banners shall be made of a material resistant to ultraviolet rays, mold and mildew.***

3) The banner may contain only the following information:

- a) The name of the organization.
- b) The name of the event.
- c) The date, *time and location* of the event.

4) ***The Town may refuse the placement of banners which are in poor condition. In addition, the Town Administrator has the authority to order the removal of banners which have become frayed, ripped or otherwise unsightly.***

~~4)5)~~ The banner sign shall only be installed by the Town of Clinton Fire Company, which may charge a reasonable fee for installing the banner. ***Organizations requesting the installation of a banner sign must cooperate with the Town of Clinton Fire Company regarding installation of the banner.***

6) ***The banner may only be displayed for a maximum of thirty (30) days, but cannot be displayed more than thirty (30) days prior to the event or seven (7) days following the event. However, the Town Council reserves the right to shorten the time a banner may be displayed in order to accommodate other requests to install a banner.***

5)7) *Permission to locate a banner sign shall only be granted to charitable, cultural, civic or community organizations to announce specific events to be held within the boundaries of the Town of Clinton or which support events in which Town of Clinton organizations are participating and have expressed their support through a letter or electronic communications. Banner signs pursuant to this Section are not to be used for commercial advertising; however, the logo of a business, entity, or corporation sponsoring an event may be included on a banner.*

~~whose purpose is to serve the residents of the Town of Clinton to advertise cultural, civic, or community events benefiting the Town of Clinton. Banner signs pursuant to this Section are not to be used for commercial advertising; however, the logo of a business, entity, or corporation sponsoring an event may be included on a banner.~~

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 according to law.

Vote all ayes
Motion carried

A copy of this ordinance will be published in the Hunterdon Review March 17, 2021 edition. A public hearing will be held April 14, 2021.

SPECIAL EVENT – ST. PATRICK’S WALK

A special event application was submitted by Bill Healy, for a walk to take place on Sunday, March 14, 2021 from 9:00 a.m. to 9:30 a.m. Approximately 35-45 people to attend. Police Chief Kubinak reviewed the application and recommends approval. A motion was made by Ms. Dineen, seconded by Mr. Humphrey to approve the request as submitted.

Vote all ayes
Motion carried

CORRESPONDENCE - NONE

REPORTS OF COUNCIL

Councilman Traphagen

Rescue Squad – calls up for the month of February. A coin toss will be held April 17, either at Exit 15 or Center Street near Shammy Shine, Clinton Township.

Shade Tree and Historic Commission will meet next week.

Building and Grounds – utility mark outs taking place along West Main Street to replace the fence along the South Branch the week of March 15, 2021.

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Councilwoman Karsh

Economic Development Committee met with the professional to discuss the sustainability study review and are seeking grant opportunities.

Councilman Humphrey

Environmental Commission has two new members as mentioned recently. He Commission will be sending out an email with regards to the spotted lantern fly and traps that are going to be made available through Penn State. Now is the time of year to stop the spread.

Clinton Fire Department Task Force will meet on Thursday.

The second Mayor walk was a success! Next Sunday, March 14, 2021, meeting at 11 a.m. and the Lansdown Trail.

Councilwoman Dineen

The Georges Place Road Improvement Project has been awarded. Committee waiting to meet with Elizabeth Gas to install gas line, contracts have been sent to homeowners.

Stormwater has been approved by the Hunterdon County Planning Board, next is the approval from the New Jersey Department of Environmental Protection.

Continue applying for discretionary aid grant for sidewalk work to take place under Route 78 overpass.

Land Use – Puleo hearing continue on Tuesday, March 16, 2021.

Councilwoman Johnson

School Board meeting is tonight. Board would hope to have all students back in school by the end of the month, 5 days a week, half days.

Board of Recreation – Ms. Johnson and Ms. Intrabartola are working on virtual activities to engage the community and have some fun walking through neighborhoods!

Committee is meeting with the engineer to discuss playground amendments regarding the tennis court being made into a multi service area.

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 February 19 through March 4, 2021.

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

Vote all ayes
Motion carried

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

RESOLUTION #61-21 - EXECUTIVE SESSION – POTENTIAL LITIGATION AND ATTORNEY ADVICE

A motion was made by Mr. Humphrey, seconded by Ms. Karsh to enter into Executive Session at 8:01 p.m. to discuss potential litigation and obtain attorney advice. Town attorney will record notes.

Vote all ayes
Motion carried

Council returned to the regular meeting at 10:43 p.m. in order to adjourn.

ADJOURNMENT

There being no further business, a motion was made by Mr. Traphagen, seconded by Ms. Dineen, to adjourn the meeting at 10.43 p.m.

Cecilia Covino, RMC/CMC
Municipal Clerk

Janice Kovach, Mayor