

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 read the following statement :

N.J.S.A. 10:4-8 (b) authorizes municipalities to conduct public meetings through use of streaming services and other online meeting platforms.

The Town of Clinton is using ZOOM Video Meetings, which are also live-streamed to Facebook Live on the Town’s Facebook Page at @clintonnjgov

Please be aware that this meeting is being recorded for the public record.

Both ZOOM and Facebook Live are imperfect, so if glitches pop-up, please be patient.

We will be addressing all questions and general comments after the governing body has conducted business and shared reports. We will take comments during the public hearing of any Ordinances on the agenda.

Councilman Mike Humphrey will be moderating questions and comments on ZOOM and Facebook. Please use the chat feature in Zoom to indicate that you wish to be recognized for a comment. You can also type in questions.

You must provide you name and address to be recognized for comment.

We ask that you keep your device muted until called upon by the council.

The Mayor and Council will respond to all votes using chat.

Please feel free to reach out with a note at jkovach@clintonnj.gov for any reason after the meeting.

APPROVAL OF MINUTES

A motion was made by Mr. Humphrey, seconded by Ms. Karsh, to approve the council meeting minutes of April 8, 2020 as submitted.

Vote all ayes
Motion carried

APPROVAL OF COUNCIL UPDATE MEETINGS – COVID-19

A motion was made by Mr. Humphrey, seconded by Ms. Dineen, to approve the minutes of March 19, 20, 21, 23, 24, 27, 31 and April 3, 7, 10, 24, 27, 2020 as submitted.

Vote all ayes
Motion carried

MAYOR'S COMMENTS

Mayor Kovach reported 447 confirmed cases of the virus in Hunterdon County and 21 deaths.

Bruce Springsteen and Jon Bon Jovi joined forces to host "Jersey 4 Jersey" Charity Concert this evening 7:00 p.m. on all channels! All Jersey born entertainers will make up the star studded cast.
At 9:00 p.m. this evening, HQ Trivia app will focus on all Jersey questions!

The State has purchased 500 ventilators to remain in the State's stockpile. There are 86 testing sites now in Jersey. The Governor is expected to share his plan for Phase I re-opening of businesses either Thursday or Friday this week.

Congressman Malinowski is sponsoring HR 6467 which will address the next round of funding directly to towns that did not qualify for the previous rounds. Without the funding, municipal budgets will be impacted not just this year but as we move forward into 2021 and beyond.

Emergency Services calls are triple of that in 2019.

Hunterdon County introduced their budget with a flat tax rate, adoption is scheduled for May 19, 2020.

Unemployment – if a resident does not say he is looking for work when applying for unemployment, he will automatically be bumped and denied. Person must say they are actively looking to certify for unemployment.

Mayor Kovach reported that Republic garbage haulers will continue taking large bulk items beginning next Tuesday. However, residents are asked not to put everything out all at once. Gradually start putting items out next week.

WATER REFUND

Water collector, Nancy Burgess, requested a refund to Lauren Mackenzie in the amount of \$61.44, the final amount was paid twice. A motion was made by Mr. Humphrey, seconded by Ms. Intrabartola to refund the amount requested.

Vote all ayes
Motion carried

RESOLUTION #85-20 – CHANGE ORDER

A motion was made by Ms. Karsh seconded by Ms. Dineen, to adopt Resolution #85-20 as submitted:

RESOLUTION # 85-20

CHANGE ORDER NO. 1

WHEREAS, the need has arisen for a change order to the W. Main Street Phase One Water Main Project, and;

WHEREAS, there were changes and decreases in Quantities and Unit Prices, and;

WHEREAS, the original contract price was \$160,764.00 and the proposed decrease is \$1,648.86 bringing the total adjusted contract amount to \$159,115.14;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Clinton that Change Order Number 1 for the W. Main Street Phase One Water Main Project be approved.

Vote all ayes
Motion carried

RESOLUTION #86-20 – SUPPORT OF RELIEF ACT

A motion was made by Ms. Karsh seconded by Ms. Johnson, to adopt Resolution #86-20 as submitted:

RESOLUTION #86-20

WHEREAS, Congressman Tom Malinowski (NJ-07), along with Assistant Speaker Ben Ray Lujan (NM-03), Congressman Andy Levin (MI-09) and Congressman Joe Neguse (CO-02) have introduced H.R.

WHEREAS, this new legislation will provide \$250 billion in stabilization funds for mid-sized local communities, cities and towns across the United States that are struggling amidst the COVID-19 pandemic; and

WHEREAS, the Town of Clinton, like many municipalities throughout Hunterdon County has been negatively impacted by COVID-19; and

WHEREAS, the *Coronavirus Aid, Relief and Economic Security Act*, signed into law on March 27th, provided stabilization funds for states and larger communities, but capped localities able to receive direct support at those with populations of over 500,000; and

WHEREAS, H.R. 6467 will provide needed financial resources to smaller municipalities and counties on the front lines of the COVID-19 pandemic; and

WHEREAS, H.R. 6467 will provide critical funds that are needed immediately by smaller municipalities and counties to continue providing critical care and screening of COVID-19 victims; and

WHEREAS, in addition to H.R. 6467, there are additional financial needs of smaller communities whom have expended substantial sums of money responding to the ongoing COVID-19 pandemic; and

WHEREAS, we call upon our federal officials to consider further relief measures for state and local governments including new investments in infrastructure, upgrades to our rural health care systems, and access to high speed broadband;

NOW THEREFORE BE IT RESOLVED, by the Common Council of the Town of Clinton, that we wish to extend our support for H.R. 6467 and call for further relief measures for state and local governments including investments in infrastructure, rural healthcare systems, and high speed broadband; and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Congressman Tom Malinowski, and U.S. Senators Robert Menendez and Cory Booker.

Vote all ayes
Motion carried

RESOLUTION #87-20 – WATER RESERVATION – TOWN CENTER

A motion was made by Mr. Humphrey, seconded by Ms. Dineen, to adopt Resolution #87-20 as submitted:

RESOLUTION # 87-20

RESOLUTION APPROVING WATER CAPACITY RESERVATION

APPLICATION # L20-02

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 # L20-02, dated April 1, 2020, submitted in the name of Town Center at Lebanon, LLC (Borough of Lebanon Block 4, Lots 1.03 & 1.04, Tax Map Page 4, located at 400-500 Corporate Drive); and

WHEREAS, on April 14, 2020, the Town's Water Consulting Engineer, Suburban Consulting Engineers, informed the Town of Clinton Water Committee of their recommendation of approval of the aforementioned application which proposes development of 280 residential units with an outdoor pool and clubhouse; and

WHEREAS, through a historic Agreement with the Town, the properties in question were contractually obligated to 30,477 GPD of water, and the applicant was only seeking an additional allocation of 16,778 GPD; and

WHEREAS, on April 14, 2020, the Town's Water Committee held their monthly meeting in which they have reviewed and approved said application and deemed it complete, to which they have granted final approval for the additional allocation requested.

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 # L20-02 in the amount of 16,778 GPD.

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.

Vote all ayes
Motion carried

RESOLUTION #88-20 – WATER RESERVATION – QUICK CHEK

A motion was made by Ms. Intrabartola, seconded by Ms. Karsh, to adopt Resolution #88-20 as submitted:

RESOLUTION # 88-20

RESOLUTION APPROVING WATER CAPACITY RESERVATION

APPLICATION # L20-02

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 # L20-03, dated April 8, 2020, submitted in the name of Quick Check Corporation (Township of Union, Block 22, Lots 39, 40 & 41, Tax Map Page 6, located at 170 & 172 Perryville Road and 41 Route 173 East); and

WHEREAS, on April 14, 2020, the Town's Water Consulting Engineer, Suburban Consulting Engineers, informed the Town of Clinton Water Committee of their recommendation of approval of the aforementioned application which proposes development of convenience Store with seating, and a 5-pump fueling station; and

WHEREAS, on April 14, 2020, the Town's Water Committee held their monthly meeting in which they have reviewed and approved said application and deemed it complete, to which they have granted final approval.

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 # L20-03 in the amount of 2,503 GPD.

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.

Vote all ayes
Motion carried

RESOLUTION #89-20 – MAROOKIAN TRACT

A motion was made by Ms. Johnson, seconded by Ms. Intrabartola, to adopt Resolution #89-20 as submitted:

RESOLUTION # 89-20

RESOLUTION APPROVING WATER CAPACITY RESERVATION EXTENSION

APPLICATION # L18-02

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, on May 22, 2018 the Mayor and Council of the Town of Clinton adopted Resolution # 85-18 which approved Water Reservation Application # L18-02 submitted in the name of Clinton Township – Marookian Tract (Township of Clinton Block 82, Lot 4.03, Tax Map Page 14, located at 1355 Route 31 South, in the amount of 16,073 GPD; and

WHEREAS, the above-reference approval was valid for twelve (12) months, to which it was scheduled to expire on May 22, 2019; and

WHEREAS, on July 1, 2019, the Town had received an initial request from the applicant, Clinton Township, to extend the permit approval for an additional twelve (12) months from the extension of their previous approval, to which the Town's Water Committee retroactively approved said extension which was subsequently approved by the Mayor and Council on August 13, 2019 via Resolution # 110-19, which imposed an expiration date of May 22, 2020; and

WHEREAS, on March 5, 2020, the Town has received a second request from the applicant, Clinton Township, to extend the permit approval for another twelve (12) months from their most recent approval

date, to which the Town's Water Committee met on April 15, 2020 and approved said extension with a new expiration date of May 22, 2021; and

WHEREAS, in accordance with Chapter 142, Section 1, this current extension represents the second extension of a maximum of four (4) permitted extensions.

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 the extension of Water Reservation Application # L18-02 in the amount of 16,073 GPD through May 22, 2021.

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.

Vote all ayes
Motion carried

RESOLUTION #90-20 – TAXES

A motion was made by Ms. Johnson, seconded by Mr. Traphagen to adopt Resolution #90-20 as submitted:

RESOLUTION #90-20

**AUTHORIZING THE TAX COLLECTOR TO PROCESS THIRD QUARTER *ESTIMATED & TAX
BILLS DUE AUGUST 1, 2020**

WHEREAS in the light of the disruption caused by the coronavirus outbreak, the state delayed the adoption of the State Fiscal Year 2021 Budget to September 30, 2020; and

WHEREAS the Division of Local Government Services (DLGS) cannot certify State Aid allocations to municipal budgets until State Aid appropriations are known; and

WHEREAS the DLGS cannot approve municipal budgets and the County Board of Taxation cannot certify taxes until long after the June 30, 2020 deadline to process the third quarter tax bills due August 1, 2020; and

WHEREAS without an adopted 202 Municipal Budget and without a 2020 Certified Tax Rate, the Tax Collector cannot process the final 2020 Tax Levy; and

WHEREAS the DLGS "strongly recommends" under Local Finance Notice 2020-07 "that municipalities prepare to issue estimated property tax bills for 2020"; and

WHEREAS the Tax collector, in consultation with the Chief Financial Officer, compute and certified an estimated Tax Levy necessary to bill third quarter taxes due August 1, 2020; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Town of Clinton, County of Hunterdon and State of New Jersey on this 22nd day of April, 2020 that the Tax Collector is hereby authorized and directed to process estimated tax bills for the third quarterly installment of 2020 taxes; and

BE IT FURTHER RESOLVED that the third quarterly installment of 2020 taxes shall not be subject to interest until the later of August 10, 2020 or the twenty-fifth (25) calendar day after the date the

estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

Vote all ayes
Motion carried

PUBLIC HEARING OF ORDINANCE #20-10 – ROAD IMPROVEMENT PROJECT

A motion was made by Ms. Karsh seconded by Mr. Humphrey, to open the public hearing of Ordinance #20-10:

- **ORDINANCE #20-10**
- **BOND ORDINANCE PROVIDING FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$385,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$133,863 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 Ms. Dineen seconded by Ms. Intrabartola to closed the public portion of the meeting.

Vote all ayes
Motion carried

A motion was made by Ms. Dineen, seconded by Ms. Johnson, to adopt Ordinance 20-10 on final reading.

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

Vote all ayes
Motion carried

PUBLIC HEARING OF ORDINANCE #20-11 - CAP

A motion was made by Mr. Humphrey, seconded by Ms. Karsh, to open the public hearing of Ordinance #20-11:

ORDINANCE 20-11
CALENDAR YEAR 2020
ORDINANCE TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)

Vote all ayes
Motion carried

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

Vote all ayes
Motion carried

A motion was made by Ms. Johnson, seconded by Ms. Intrabartola, to adopt Ordinance #20-11 on final reading.

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

Vote all ayes
Motion carried

INTRODUCTION OF ORDINANCE #20-12 – WEST MAIN STREET WATER MAIN REPLACEMENT

A motion was made by Ms. Karsh, seconded by Ms. Dineen, to introduce Ordinance #20-12 on first reading as submitted:

ORDINANCE #20-12

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$900,000 FOR THE WEST MAIN STREET WATER MAIN REPLACEMENT PROJECT IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$900,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance has heretofore been authorized to be undertaken by the Town of Clinton, in the County of Hunterdon, New Jersey (the "Town") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the supplemental amount of \$900,000, such sum being in addition to the \$1,740,000 appropriated therefor by bond ordinance #17-10 of the Town finally adopted December 12, 2017 (the "Original Bond Ordinance"). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the cost of the improvement since the project described in Section 3(a) hereof is being funded through the New Jersey Infrastructure Bank.

Section 2. In order to finance the additional cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$900,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is the West Main Street Water Main Replacement Project, including a water main extension to reinforce the distribution system as well as the replacement of the critical river crossing and the installation of a new main along West Main Street and further including all work and materials necessary therefor and incidental thereto, as described in the Original Bond Ordinance.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is \$2,640,000, including the \$1,740,000 authorized by the Original Bond Ordinance and the \$900,000 bonds or bond anticipation notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$2,640,000, including the \$1,740,000 appropriated by the Original Bond Ordinance and the \$900,000 appropriated herein.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$900,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$615,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the

purpose or improvement. Of this amount, \$435,000 was estimated for these items of expense in the Original Bond Ordinance and an additional \$180,000 is estimated therefor herein.

Section 7. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Vote all ayes
Motion carried

A summary of this ordinance will be published in the Courier News edition of April 25, 2020. A public hearing will be held May 13 2020.

INTRODUCTION OF ORDINANCE #20-13 – COMPENSATION FOR OEM COORDINATOR & DEPUTY COORDINATOR

A motion was made by Ms. Intrabartola, seconded by Ms. Dineen, to introduce Ordinance #20-13 as submitted modifying the current salary ordinance:

ORDINANCE # 20-13

**AMENDING ORDINANCES TO PROVIDE FOR EMERGENCY MANAGEMENT POSITIONS
AND OVERTIME DURING TIMES OF EMERGENCY**

WHEREAS, the Town adopts an ordinance periodically amending the salary ranges for certain employees; and

WHEREAS, the most recent Salary Ordinance, Ordinance #19-14, was adopted on November 26, 2019; and

WHEREAS, Chief of Police Cory Kubinak is also appointed as the Town's Emergency Management Coordinator and Chris Miller is appointed as the Town's Deputy Emergency Management Coordinator; and

WHEREAS, the Town of Clinton Chief of Police Town Administrator are salaried employees and not entitled to overtime pay or compensatory time pursuant to his employment and the Salary Ordinance; and

WHEREAS, pursuant to the Town's Salary Ordinance the Emergency Management Coordinator and Deputy Emergency Management Coordinator receive a stipend and are not entitled to overtime pay or compensatory time; and

WHEREAS, during a declared State of Emergency, the Town Administrator, Richard Phelan, assists with emergency management duties under the direction of the Emergency Management Coordinator; and

WHEREAS, on March 9, 2020, pursuant to Executive Order No. 103, Governor Phil Murphy declared that a Public Health Emergency and State of Emergency exists in the State of New Jersey as a result of an outbreak of Coronavirus disease 2019 ("COVID-19") is a contagious, and at times fatal, respiratory disease; and

WHEREAS, on March 16, 2020, the Town of Clinton (the "Town") declared that a local public health emergency and state of emergency exist in the Town; and

WHEREAS, pursuant to Executive Order No. 119, Governor Phil Murphy extended the State of Emergency through May 9, 2020; and

WHEREAS, due to the unprecedented public health emergency, the Chief Kubinak, Administrator Phelan, and Deputy Coordinator Miller have worked many hours in order to ensure the health and safety of Town residents; and

WHEREAS, the Town Council has determined it is in the best interests of the Town and its residents to award the Emergency Management Coordinator and Deputy Emergency Management Coordinator overtime pay during times of emergency; and

WHEREAS, the Town Council has determined it is in the best interest of the Town and its residents to allow the Town Administrator to receive additional pay for performing emergency management duties during times of emergency.

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

SECTION 1. Section 4-25 of the Ordinances of the Town of Clinton is hereby amended as follows:

§ 4-25 Emergency Management Coordinator; Deputy; *Administrators*.

- A. The position of Emergency Management Coordinator for the Town of Clinton is hereby created.
- B. The Emergency Management Coordinator shall have the authority to appoint one or more Deputy Emergency Management Coordinators subject to the approval of the Mayor of the Town of Clinton. ***The Emergency Management Coordinator shall have the authority to appoint one or more Emergency Management Administrators subject to the approval of the Mayor of the Town of Clinton.***
- C. Except as otherwise provided by law, the Emergency Management Coordinator shall not be removed during his term of office for political reasons but may be removed for good cause, including but not limited to incapacity, misconduct or disobedience of the rules and regulations established by the Mayor and Council or by the State Director of Emergency Management and then only in accordance with the procedures set forth in N.J.S.A. 40A:9-161.
- D. The Emergency Management Coordinator shall successfully complete the current approved Civil Defense Director-Coordinator course within one year immediately following his appointment. The failure of the Emergency Management Coordinator to fulfill this requirement shall disqualify the Emergency Management Coordinator from continuing in office, and thereafter, a vacancy in said office shall be deemed to have been created.
- E. The Deputy Emergency Management Coordinators ***and Emergency Management Administrators*** shall serve at the pleasure of the Mayor and Council ***under the direction of the Emergency Management Coordinator.***

SECTION 2. The Salary Ordinance (Ordinance No. 14-19) is amended as follows (Additions indicated in boldface and italics ***thus***; deletions indicated with strike-through ~~thus~~):

<u>TITLE</u>	<u>SALARY RANGE</u>
Emergency Management Coordinator	1,000.00 - 5,000.00
<i>Deputy Emergency Management Coordinator</i> Administrator	250.00 - 1,000.00
<i>Emergency Management Administrator #1</i>	<i>25 – 35 / hour</i>
<i>Emergency Management Administrator #2</i>	<i>25 – 35 / hour</i>

SECTION 3. The Salary Ordinance (Ordinance No. 19-14) is amended to add the following:

Where the Emergency Management Coordinator and Deputy Emergency Management Coordinator are employed by the Town in other salaried positions and not otherwise eligible to receive compensatory time or payment for overtime, overtime pay may be awarded for hours worked in the position of Emergency Management Coordinator or Deputy Emergency Management Coordinator during a State of Emergency declared by the Town of Clinton, Hunterdon County, and / or State of New Jersey as follows:

<u>TITLE</u>	<u>OVERTIME HOURLY RATE RANGE</u>
Emergency Management Coordinator	\$60 / hour - \$120 / hour
Deputy Emergency Management Coordinator	\$30 / hour - \$50 / hour

SECTION 4. The Salary Ordinance (Ordinance No. 19-14) is amended to add the following:

Where the Emergency Management Administrators are employed by the Town in other salaried positions, such employees shall be entitled to receive payment at the hourly rate set forth above for time expended in fulfilling their duties of Emergency Management Administrator during a State of Emergency declared by the Town of Clinton, Hunterdon County, and / or State of New Jersey notwithstanding provisions of their employment contracts for other positions held with the Town of Clinton.

SECTION 5. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 6. 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 7. 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 Courier News edition of April 25, 2020. A public hearing will be held May 13, 2020.

CORRESPONDENCE - NONE

REPORTS OF COUNCIL

Chief of Police Kubinak

Chief Kubinak provides a written report of outlining the special orders with the department pertaining to Coronavirus preparation and procedures for headquarters, officers and patrol cars. The department is serving and advising residents and businesses how to operate and providing warnings and guidance to same. Police department is serving all OEM advisements. Requests made to the county have been fulfilled, masks, gowns and solutions, most have been forwarded to rescue squad. Testing sites in Bergen and PNC are only available for individuals that are symptomatic.

The eighth public assistance FEMA loop will cover man hours and material supplies, the Town has spent about \$4,300 to date and should be able to re-coup through FEMA. Attorney St. Angelo is working on an extension of the State of Emergency, which can be updated every 30 days.

Richard Phelan, Business Administrator

Staggered shifts among DPW and office staff working without interruptions. Remain available to the public. Helping our police department whenever needed. Hiring seasonal employees soon. Hydrant flushing also scheduled to begin.

Councilwoman Johnson

Sewer Committee – approved construction to start at the filter building. Pre-construction meeting to be held week of April 27, 2002 via zoom.

The next Town initiative – WORLD OF HEARTS! Residents are encouraged to decorate property and windows!

Mayor Kovach stated that the Governor expects schools to be closed until the end of the year but did not address summer camps. Ms. Intrabartola said the Governor is awaiting guidance from the CDC, the Center for Disease Control.

Councilman Humphrey

Mr. Humphrey and Mr. Traphagen will be hosting an event Tuesday, April 28 at 7:30 p.m. to open the forum to folks who would like to share a piece of history. This will be available via zoom and recorded. This started with an idea of the Elders Committee but is open to the community. To share stories and collect photos that would cover the lost stories of the last 100 years.

Councilwoman Karsh

Water Committee discussed upcoming chemical regulations and to address them in the management plan as well as water utility treatment options and well treatments. Water department continues monitoring water loss.

Economic Development Commission met via zoom. There is an AARP grant that was forwarded to Mr. Humphrey to share with the Elders Committee for their review and then return to the EDC with ideas on how to improve the downtown for senior accessibility. Also for future planning in the community, to create a hotspot for wireless users. Mr. Humphrey said Comcast has extensive coverage, reach out and ask for enablement. Mr. Traphagen also suggested reaching out to Centurylink, they put an infrastructure on poles during the Black Potato Festival in the past.

Funding may be available through a feasibility grant to improve lighting and appearance of crosswalks, making them safer. Chief Kubinak stated that some ideas of murals when approaching crosswalks could be more distracting than helpful. The Chief has looked into options which would make crosswalks safer such as a person pressing a button that would alert a driver to someone about to cross.

Another topic of discussion was accessibility for residents to get around town. Crosswalk at Exit 15 going up to Walmart/Shoprite is hazardous. Walking to the bus station in Annandale is also a treacherous walk from town with the absence of sidewalks along Old 22. The committee discussed how to run a jitney service through town to the bus or to Walmart or Shoprite to alleviate dangerous walks, especially for folks with mobility issues. The LINK is also an option, passenger needs to call to make appointment for pick up.

Ms. Karsh explained that the jitney and hot spot for internet are big topics for the commission and a proposal will be made at the next meeting. Ms. Karsh will return to council with a resolution of support for council to endorse for seeking a grant.

Ms. Dineen asked about the Community Garden that was a topic of discussion. Ms. Johnson said it was a point of discussion during the playground renovation discussions that maybe instead of a tennis court to make it a garden. Mr. Traphagen said Readington Township has one and will reach out to them. Ms. Intrabartola will reach out to Rutgers about their garden in Pittstown.

The EDC is looking for an expert to partner with in getting ready to obtain funding when restrictions are lifted and the brochure is complete.

Councilwoman Dineen

Land Use will not have a May meeting, the next meeting is scheduled for June 2, 2020.

Councilwoman Intrabartola

Board of Recreation – last meeting was postponed. Still waiting to hear of the CDC guidelines regarding summer camps. Ms. Olsen may be making a lot of refunds.

Councilman Traphagen

Historic Commission – Historic virtual walking tour will be on Facebook with a virtual map with sites listed in the brochure. Commission is reaching out to school and maybe the history teachers, to take on a student project, to write about an historical building in the town. Ms. Intrabartola suggested contacting Bill Honachefsky, Jr. for participating in the project. Ms. Johnson stated that was a high school project when she was a student at Immaculata. Great idea!

Shade Tree Commission also discussed a virtual Arbor Day, maybe planting a tree on East Main Street where one needs to be replaced.

Mayor Kovach

Kudos to have the striping done on West Main Street/ aka / Old 22. The striping prevents parking along the approach to the traffic light at Exit 15 near the Shell station.

Pro Activity is sponsoring a competition with proceeds going to the Red Mill. The program starts May 1st, a 4-week program that is also kid friendly. Mayor Kovach loves a competition and asked all council to participate. All levels of fitness will be part of the experience!

Earth Day celebrating 50 years today! Mr. Humphrey mentioned with the less cars on the road, there has been a 60% reduction in carbon monoxide!

APPROVAL OF STANDBY AND OVERTIME

A motion was made by Ms. Karsh, seconded by Mr. Humphrey to approve the standby and overtime pay attached to these minutes for April 3 through April 7, 2020.

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. Intrabartola seconded by Mr. Traphagen 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 Ms. Johnson, seconded by Ms. Karsh to adjourn the meeting at 8:30 P.M.

Vote all ayes
Motion carried

Cecilia Covino, RMC/CMC
Municipal Clerk

Mayor Janice Kovach