

Special Meeting concerning Covid-19 via Facebook Live and Zoom

**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, which notice was posted, 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.”

**VIRTUAL MEETING STATEMENT**

Mayor Kovach continued with this 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. Recently adopted P.L. 2020, c. 11 amends OPMA (Open Public Meetings Act) 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, 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 address all questions and general comments after the governing body has conducted business and shared reports. We will take comments during the public hearings 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. Feel free going forward to email [councilmeeting@clintonnj.gov](mailto:councilmeeting@clintonnj.gov) with any questions or concerns between meetings or questions you would like answered during future council meetings. You MUST provide your name and address to be recognized for comment. We ask that you keep your device muted until called upon by the council. The meeting’s moderator may also mute participants. The Mayor and Council will respond to all votes using chat. Please send me a note at [jkovach@clintonnj.gov](mailto:jkovach@clintonnj.gov), call or text me at 908-399-8921 for any reason after the meeting.”

**MAYOR’S COMMENTS**

Participated in Mayors Advisory Call with League of Municipalities. The new CARES (Coronavirus Aid, Relief and Economic Security Act) bill being considered, sponsored by Congressman Malinowski, would allocate \$500 Billion over 2 fiscal years, \$125 Billion of that would go to states and municipalities, 70% of that would go CDBG communities, 30% would go to non-CDBG municipalities based on population. NJ would get about 2 – 2 ½ percent, which would amount to approximately \$750 million. If that bill passes as it is currently written, the town would want to use that money to backfill revenues that have been lost, as well as get reimbursed for expenses occurred by the Office of Emergency Management due to the State of Emergency. A special hearing occurred on Monday, May 4, 2020 National League of Cities had a representative answering questions from congress.

Based on Governor Murphy closing all schools through June 30, 2020 nothing can happen in schools until that point. There is no information yet about schools July 1, 2020 and later.

NJ State Assembly bill A3971 would establish a new financing mechanism to enable municipalities to borrow money to address the costs attributable to increased expenses and revenue shortfalls due to the COVID-19 pandemic, and to pay back that money over a 10-year period. There is no senate companion bill for that yet. It is unlikely that the Town of Clinton would need to utilize that option, but it would be helpful to towns that are in dire financial straits.

NJ Bills A3919 and S2346 have been proposed to extend certain MLUL permit deadlines. Attorney Tara St. Angelo stated that these bills would allow for MLUL deadlines to be extended up to 60 days after the NJ State of Emergency has ended. That would give the boards a cushion of not having to have public

meetings or hearings right away. Mayor Kovach, Ms. St. Angelo and Land Use Board Attorney Katie Razin will discuss these issues and update council members.

NJ Bills A4123 and S2387 would extend the statutory deadline to file tax appeals to July 1, 2020, and the deadline for a county board of taxation to render a decision on appeals filed by property taxpayers to September 30, 2020. Without the passage of these bills, the Chief Justice has the right to determine the deadline date. Ms. St. Angelo commented that in order to file a tax appeal, the property must be current on taxes. She also stated that for the year 2020, the tax assessment was set as of October 1, 2019, therefore the Coronavirus does not really impact that, however there may be a great deal of appeals for 2021.

A memo went out on May 5, 2020 to freeze all nonessential spending in the town until an assessment can be made on where the budget stands. At this point the budget is not being amended, we will move forward with the existing budget.

Mayor Kovach has been in touch with Chief Kubinak who states that people have been following the social distancing rules and other OEM orders for the most part. Police staff will increase as the weather gets nicer and people tend to be out and about.

DPW staff is going back to regular scheduling as of Monday, May 11, 2020. Office staff will likely go back to regular scheduling as of May 18, 2020, although the buildings will not yet be open to the public. The town received a donation from the NJ nonprofit group "Be Like Henry" of 100 KN95 masks which Mayor Kovach delivered to Chief Kubinak.

Governor Murphy issued Executive Order 130 which allows municipalities to extend the grace period for tax payments. According to Kathy Olsen, Town CFO, as of April 30, 2020 the Town was only down about 15%. The Mayor is proposing Resolution 91-20 to extend the grace period for property tax payments for the second quarter to June 1, 2020. Residents who pay their taxes directly will have until June 1, 2020 to pay this quarter's taxes without late fees or penalties. As Mayor Kovach understands this order, it only applies to residents who pay taxes directly; banks are required to make the tax payments within the state mandated grace period, and therefore do not benefit from this delay. Ms. St. Angelo stated that some banks are not reading the order in this manner, and they may hold on to that money for those additional two weeks to benefit from interest. Alternately, banks may make payments all at once across the state instead of investigating the deadline for each municipality.

### **RESOLUTION NO. 91-20**

### **RESOLUTION OF THE TOWN OF CLINTON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, EXTENDING THE GRACE PERIOD FOR THE PAYMENT OF SECOND-QUARTER PROPERTY TAXES TO JUNE 1, 2020**

**WHEREAS**, the Governor of the State of New Jersey issued Executive Order 103 on March 9, 2020, declaring a Public Health Emergency and a State of Emergency due to the worldwide COVID-19 pandemic; and

**WHEREAS**, said Public Health Emergency and State of Emergency continue to exist as of the date of this Resolution; and

**WHEREAS**, pursuant to various Executive Orders issued by the Governor of the State of New Jersey in response to the COVID-19 pandemic, including but not limited to Executive Order 107 issued on March 21, 2020, all non-essential retail businesses are closed and residents are ordered to stay at home when practicable; and

**WHEREAS**, property taxpayers may be suffering from financial hardships as a result of the COVID-19 pandemic, including but not limited to, loss or decrease of income or unexpected expenses due to necessary health care; and

**WHEREAS**, under N.J.S.A. 54:4-67(a), a municipality may fix the rate of interest to be charged for the nonpayment of taxes, assessments, or other municipal liens or charges, on or before the date when they would become delinquent, and may provide that no interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which the same became delinquent, thereby establishing a grace period running through May 11, 2020 for the second-quarter property taxes; and

**WHEREAS**, Executive Order 130, issued on April 28, 2020, authorized municipalities to establish a grace period extension no later than June 1, 2020 for payment of second-quarter property taxes and that any provisions of N.J.S.A. 54:4-66(a), N.J.S.A. 54:4-66.1(a), and N.J.S.A. 54:4-67(a) inconsistent with Executive Order 130 were suspended for the duration of the Public Health Emergency; and

**WHEREAS**, it is the desire of the governing body to adopt a resolution instituting a grace period of June 1, 2020 for the payment of second-quarter property taxes to alleviate financial hardships on the residents of the Town of Clinton.

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

1. The governing body does hereby extend the grace period for the payment of second-quarter property taxes for properties located in the Town of Clinton to June 1, 2020 in accordance with the provisions of Executive Order 130 (2020).
2. The Municipal Clerk shall forward a certified copy of this Resolution to the Director of the Division of Local Government Services in the Department of Community Affairs within three (3) business days of the adoption of this Resolution.
3. A certified copy of this Resolution shall be forwarded to the Tax Collector, Chief Financial Officer, and the Town Administrator.

Councilman Humphrey moved to adopt, seconded by Councilwoman Johnson.

**ROLL CALL:** Ayes: Mayor Kovach, Councilmen Humphrey and Traphagen, Councilwomen Dineen, Johnson, and Karsh.

Absent: Councilwoman Intrabartola

Motion carried

**TOWN ADMINISTRATOR RICH PHELAN**

Despite the staggered schedule, all town needs continue to be met.

The DPW will be starting seasonal work such as hydrant flushing. Mr. Phelan met with all of the DPW employees reminding them of the CDC guidelines that must be followed. Working outside is less restrictive, but there are still guidelines to follow.

The Town has all of the PPE needed for the employees, and has instituted a policy for all equipment to be cleaned daily.

**COUNCILWOMAN JOHNSON**

The Recreation Commission will hold a special meeting via zoom on Thursday, May 7, 2020 at 7:30 pm to discuss the Summer Recreation program.

The international heart campaign was a great success. Please reach out to Ms. Johnson with any ideas of how to engage the community.

**COUNCILMAN HUMPHREY**

Communications Committee plans for the newsletter to go out in mid-June. They will put out an official call for articles the week of May 11, 2020. Mr. Humphrey feels that this is a very important issue.

The Environmental Commission is discussing how to make up for the river clean up that did not happen this year, and may have independent teams, like a family, go out at different times with set zones at the end of May.

#### **COUNCILWOMAN KARSH**

The Guild of Clinton met via zoom. The “adopt a tree” program has been a great success and has raised quite a bit of money. The Guild is discussing how to proceed with the annual summer “Come Together” music festival which typically occurs Friday nights and Saturday afternoons throughout the summer and may hold events via Facebook live.

The Economic Development Committee has discussed creating a more robust grant making entity in the community, and has brought that idea to the Guild.

The roads committee will forward a new Stormwater Regulation Ordinance for council to review. Mr. Phelan commented that the committee may coordinate with the Land Use Board so that pending applications can be officially submitted prior to changing the ordinance. The Georges Place and Union Road repaving projects will be moving forward.

Ms. Karsh asked if there was a listing of all Executive Orders and NJ Senate Bills pertaining to Covid-19 on the NJ League of Municipalities website. Mayor Kovach stated that it does have that list. (The League of Municipalities Covid-19 page can be found at <https://www.njlm.org/1085/Coronavirus-COVID-19>)

#### **COUNCILWOMAN DINEEN**

The roads committee met on Friday, May 1, 2020 and is exploring some grant opportunities to address the lack of sidewalks on Center Street toward the Trans Bridge bus station. July 1, 2020 is the grant application deadline. Ms. Karsh commented that this is intended to connect the town more directly with the transportation hub. Additionally, the committee may reach out to Clinton Township to make it a smoother transition from the Town to the Township.

Ms. Dineen had two residents ask about when the electronic gate up on Halstead Street by the reservoir will open. People may not be aware that the NJ Water Authority owns that property, it is not part of the Spruce Run state park and therefore not subject to the state park reopening order.

#### **COUNCILMAN TRAPHAGEN**

Shade Tree Commission ordered the seedlings for Arbor Day (prior to the spending freeze) which should be arriving soon. Once there is more information on their arrival date they will establish safe procedure for the CPS third graders to pick them up. The Commission is also researching ideas for the students to be able to virtually engage with this process. The purchase of a tree is now on hold due to the spending freeze.

#### **ATTORNEY ST. ANGELO**

There is a pending bill (A3964 S2456) which will allow registrars to accept applications for marriage licenses and other vital statistic requests over the phone or via video chat. (It would also eliminate the current 72 hour waiting period.)

In terms of the town going back to regular schedules there may be employees who are parents without day care options, or employees who have underlying health issues; therefore keep an eye on who is eligible to keep working from home, who is eligible for family leave, etc. The Public Health Emergency has been extended in the Town of Clinton.

Governor Murphy issued an Executive Order banning telecommunications companies from shutting off services such as telephone or internet due to nonpayment.

The deadlines for the upcoming elections have been fluctuating, more information will follow.

**ADJOURNMENT**

The next Town of Clinton Council meeting will be held Wednesday, May 13, 2020 at 7:30 pm via Facebook Live and Zoom.

---

Cecilia Covino, RMC/CMC  
Municipal Clerk  
(Prepared by Caitlin Haughey)

---

Mayor Janice Kovach