

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 :**

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](mailto:jkovach@clintonnj.gov) for any reason after the meeting.

**APPROVAL OF MINUTES**

A motion was made by Mr. Humphrey, seconded by Ms. Johnson to approve the council meeting minutes of August 26, 2020 as submitted.

Vote all ayes  
Motion carried

**APPROVAL OF MONTHLY REPORTS – AUGUST**

A motion was made by Mr. Traphagen, seconded by Ms. Johnson, to accept the Monthly Reports for the month of August as submitted: Administrator’s Report, Clerk’s Account, Cat and Dog Licensing Accounts, Construction Control / Inspection Report, Police Report, Tax Collector’s Report, Zoning Officer

Vote all ayes  
Motion carried

**PUBLIC COMMENTS - none**

**MAYOR'S COMMENTS**

1. Mayor Kovach has been asked by residents about scheduling the Town Wide Garage Sale and has marked Saturday, September 26, 2020 as the date! Rain or Shine!! No map will be made this year so no need to send \$10.00!
2. Thank you to Nancy and Dale Garlick of 11 Rachel Court, for sprucing up the Community Center park, raking the sand and pulling weeds on their own time! They said they had the spare time to do it and had their grandchildren help in their efforts!
3. Hunterdon Strong Community Challenge is a telethon beginning September 23 and runs through November 13. To learn more and to donate, visit [www.HunterdonStrong.or/Community-Challenge](http://www.HunterdonStrong.or/Community-Challenge). Monies will be used to support twelve charities on the front line that inspire healthy living and help make Hunterdon the safest county in the country. There will be two first place prizes of \$2,000 each, and two second place prizes of \$500 each, that the municipalities will be competing for. The prize money will be donated to the schools within the winning municipalities. Donations can be in any amount, \$5.00 would be a great donation!
4. New Jersey League of Municipalities will be hosting a virtual swearing in of Mayor Kovach as the new President of the League, 2020-2021 at the annual business meeting in late November/early December. Details to be announced.
5. A proclamation was read into the record and will be delivered to John and Kathy Madden. The Maddens, long-time residents of the Town of Clinton, have decided to relocate but will leave many beautiful butterfly gardens and plantings for many to enjoy for years to come.

**PUBLIC HEARING OF ORDINANCE #20-18 – WATER RESERVATION APPLICATIONS**

A motion was made by Ms. Karsh, seconded by Ms. Johnson, to open the public hearing of Ordinance #20-18:

**ORDINANCE #20-18**

**ORDINANCE AMENDING CHAPTER 142 OF THE CODE OF THE TOWN OF CLINTON  
REGARDING WATER RESERVATION APPLICATIONS**

Vote all ayes  
Motion carried

Walter Wilson, owner of 19 West Main Street and 2 West Main Street, asked about the 5<sup>th</sup> page of the ordinance, section F, Quarterly Water Reservation Fee, the date was left blank finishing the sentence “This reservation fee shall be effective for applications that are set to expire on or after ---, 2020.” Mr. Wilson asked what date will be inserted and Attorney St. Angelo said it will be today’s date, September 9, 2020, the date of the final hearing and approval of Ordinance #20-18.

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

Vote all ayes  
Motion carried

A motion was made by Ms. Karsh, seconded by Ms. Dineen, to adopt Ordinance #20-18 on final reading.

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

Vote all ayes  
Motion carried

**INTRODUCTION OF ORDINANCE #20-19 - PROPERTY MAINTENANCE**

At the request of the Environmental Commission to address a property maintenance ordinance, the following has been presented. A motion was made by Mr. Humphrey, seconded by Ms. Intrabartola, to introduce Ordinance #20-19 on first reading as submitted:

**ORDINANCE # 20-19**

**AN ORDINANCE AMENDING**

**THE CODE OF THE TOWN OF CLINTON, COUNTY OF HUNTERDON, NEW JERSEY TO  
ESTABLISH MINIMUM PROPERTY MAINTENANCE STANDARDS**

**WHEREAS**, pursuant to N.J.S.A. 40:48-1, a municipality may make, amend, repeal and enforce Ordinances to manage, regulate and control real property of the municipality; and

**WHEREAS**, the Town of Clinton desires to enact an ordinance to regulate property maintenance in order to protect the health, safety, and welfare of its residents; and

**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 by adding Chapter \_\_\_\_:

**SECTION 1.** Section 94-2(A) of the Town Code entitled "Littering in Public Places" shall be supplemented and amended as follows:

Littering public places. No person shall throw or deposit litter in or upon any street, sidewalk or other public place within the town except in public receptacles, in authorized private receptacles for collection. A violation of this subsection shall include wind-blown litter from uncovered receptacles or otherwise uncontained on private property.

**SECTION 2.** A Chapter the Code entitled "" is added as follows:

**§ \_\_\_\_ - 1. Title.**

This chapter shall be known as the "Minimum Property Maintenance Code of the Town of Clinton" and may be referred to in the short form as the "Property Maintenance Code" or in this chapter as "this code."

**§ \_\_\_\_ -2. Purpose.**

The purpose of this code is to protect the public health, safety and welfare by establishing minimum standards governing the maintenance and condition of the exterior of

premises; to avoid, prevent and eliminate the maintenance of or creation of hazards to the public health or safety; to protect the environment, including sensitive watershed and forested areas, from the impact of hazardous materials; to prevent the creation, continuation, extension or aggravation of blight; to fix certain responsibilities and duties upon owners, operators and occupants of property; and to provide for administration and enforcement of this chapter.

**§ \_\_\_\_-3. Applicability.**

Every structure and the premises on which the structure(s) are situated in the Town used or intended to be used for single and multiple family dwellings, commercial, business or industrial occupancy shall comply with the provisions of this code and, irrespective of any permits or licenses, which shall have been issued for the use or occupancy of the structure or for the installation or repair of equipment or facilities prior to the effective date of this code.

**§ \_\_\_\_-5. Higher standards to prevail.**

In any case where the provisions of this code impose a higher standard than that set forth in any ordinance of the Town or under the laws of the State of New Jersey, then the standards as set forth herein shall prevail; but if the provisions of this code impose a lower standard than any ordinance of the Town or of the laws of the State of New Jersey, then the higher standard contained in any such other ordinance or law shall prevail.

**§ \_\_\_\_-6. Effect on existing remedies.**

Nothing in this chapter shall be deemed to abolish or impair existing remedies of the municipality or its officers or agencies relating to the removal or demolition of any buildings or structures, which are deemed to be dangerous, unsafe or unsanitary.

**§ \_\_\_\_-7. Definitions.**

Unless otherwise expressly stated, the following terms shall, for the purpose of this chapter, be defined as follows:

**Deterioration:** the condition of a structure or part thereof characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting or other evidence of physical decay or neglect, lack of maintenance or excessive use

**Enforcement Officer:** the enforcement officer in the Town shall be the Code Enforcement Official, Zoning Officer, or their authorized representative.

**Exterior of Premises:** those portions of a building or structure, which are exposed to public view or are visible from adjoining or adjacent properties, including all outside surfaces and appurtenances thereto, and the open space on the premises outside any building or structure erected thereon

**Extermination:** the control and elimination of insects, rodents or other pests by eliminating their harborage places, by removing or making inaccessible materials that may serve as their food or by any approved pest elimination methods

**Fire Hazard:** any thing or any act, which increases or may cause any increase of the hazard or menace of fire to a greater degree than customarily recognized as normal by persons

in the public service of preventing, suppressing or extinguishing fire or, which may obstruct, delay or hinder or may become the cause of an obstruction, delay, hazard or hindrance to the prevention, suppression or extinguishment of fire

**Garbage:** animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food

**Hazardous Substance:** Any and all elements and compounds, including petroleum products, which are defined as such by the New Jersey Department of Environmental Protection or as are defined in the N.F.P.A. Guide of Hazardous Materials, or as are set forth in the list of hazardous substances adopted by the Federal Environmental Protection Agency, or as are defined on the list of toxic pollutants designated by Congress or the Environmental Protection Agency.

**Nuisance:** any public or private condition that would constitute a "nuisance" according to the statutes, laws and regulations of the State of New Jersey, any of its agencies or Chapters 151 and 162 of the Code of the Town of Clinton

**Occupant:** any occupant, owner, agent, tenant, lessee, caretaker or other person or corporation in charge of the premises of or having actual possession or use of a business, single and multiple family dwelling unit or other premises affected by this chapter

**Operator:** any person, persons or entity not the owner, who has charge, care or control of a structure or a part thereof, with or without the knowledge, consent or authority of the owner

**Owner:** any person, persons or entity (a) who shall have legal or equitable title in any form whatsoever to any premises or part thereof, with or without accompanying actual possession thereof, or (b) who shall have charge, care or control of any lot, premises, building, structure or part thereof, as owner or agent of the owner, or (c) as fiduciary, trustee, receiver, guardian, lessee or mortgagee in possession, regardless of how such possession was obtained, or (d) Any person, group of persons or entity who is a lessee, subleasee or assignee of a lessee of any part or all of any building, structure or land shall be deemed to be a co-owner with the lessor for the purposes of this section and shall have responsibility over that portion of the premises so sublet, leased or assigned.

**Petroleum Product:** Oil or petroleum of any kind and in any form, including but not limited to oil, petroleum, gasoline, kerosene, fuel oil, oil sludge, oil refuse, oil mixed with other wastes, crude oils and substantives or additives utilized in the refining or blending of crude, petroleum or petroleum stock.

**Premises:** a lot, plot or parcel of land, including the buildings, structures and improvements thereon

**Rubbish:** all combustible and noncombustible waste materials other than garbage; and the term shall include paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and the residue from burning wood, coal, coke or other combustible material and solid commercial and industrial waste. No chemicals such as those used in swimming pools, oil, gasoline or any other chemical which could cause a fire, explosion or obnoxious gas shall be considered "rubbish."

§ \_\_-8. Duties of owners.

Owners shall have all the duties, obligations and responsibilities prescribed in this chapter, and no such person or entity shall be relieved of any such duty, obligation or responsibility hereunder, nor may any such person or entity assert, as a defense against any charge made under this chapter, that another owner, operator or occupant or any other third person or entity is also responsible therefore and in violation thereof.

**§ \_\_-9. Maintenance standards.**

The exterior of all premises shall be kept free from hazards, which include but are not limited to the following:

A. Garbage and rubbish. Only garbage and rubbish (as defined in this Chapter) resulting from the actual use of the premises may be permitted on the premises. All provisions of Chapter 94 of the Code of the Town of Clinton entitled "Littering" shall apply. Garbage and rubbish shall be placed in a trash can, bucket, bag or other vessel, such as to prevent such garbage and rubbish from spilling or blowing out into the street, sidewalk, other properties or storm sewers.

It shall be unlawful for any residential or commercial property owner to permit open or overflowing garbage and rubbish disposal containers on his or her property, garbage and rubbish shall be deposited and controlled so as not to be scattered by the winds and the area surrounding garbage and rubbish disposal containers of any kind shall be maintained free of garbage and rubbish at all times. The storage of materials otherwise considered garbage or rubbish hereunder for composting or mulching shall be exempted from this prohibition.

It shall be the responsibility of the owner, leasee, tenant, occupant or person in charge of any premises to remove garbage and rubbish originating from such premises which has been placed, dropped, wind blown or otherwise deposited upon adjoining properties, or wind blown across a right of way.

This section shall be enforced by the Zoning Officer or its authorized representative.

**B. Hazardous Substances.**

a. Discharge. The discharge and/or spill of a hazardous substance, including petroleum products, are hereby declared to be nuisances and prohibited activities. In addition to reporting such discharges in compliance with the New Jersey Spill Compensation and Control Act (N.J.S.A. 58:10-23.11 et seq.), such discharges shall be reported in writing to the Town Code Official. Such communication shall set forth the time, place, and date of the discharge, the names and addresses of persons present, and a detailed description of the spill or discharge. Within 24 hours a more detailed description of the spill shall be provided to the Code Official in writing including the amount of the spill or discharge and the name of the substance spilled or discharged, a proposed method of containment, clean-up and removal of the spill or discharge, and the estimated cost of removal of the hazardous substance. Written reports detailing every step taken to clean up, remove and contain the spill or discharge shall thereafter be filed with the Code Official every 72 hours until the spill or discharge is completely cleaned up, removed, and contained. Where said follow-up reports would be repetitive, cumulative or not provide any additional information, the Code Official may waive, in writing, the requirement that such report be submitted.

b. Storage. Combustible, flammable, explosive or other hazardous materials, such as paints, volatile oils and cleaning fluids, petroleum products shall not be accumulated or stored unless such storage complies with the applicable requirements of applicable ordinances, building codes, and fire codes.

C. Unsafe principal structures and dwellings. The provisions of Chapter 68, entitled "Dwellings, Unfit" shall apply to principal structures and their exterior appurtenances, such as balconies, porches, etc., and be enforced by the Town Construction Official or Building Subcode Official.

D. Unsafe accessory structures, including, but not limited to detached garages, sheds, fences, and other accessory structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the property by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation that partial or complete collapse is possible.

E. Discarded appliances, including abandoned refrigerators, boilers, hot-water heaters, television sets and other similar major appliances that create a hazardous condition. For the purposes of this subsection, "hazardous condition" shall include discarded appliances that are leaking hazardous substances or have rusted or jagged surfaces that can pose a danger to public safety or wildlife.

F. Brush, Grass, Weeds, Dead or dying trees and shrubs. Brush, grass, weeds, dead or dying trees and shrubs shall be maintained in compliance with Chapter 45 of the Code.

G. Recurring accumulations of storm water, including stagnant surface or groundwater accumulations which create or are likely to create breeding areas for mosquitoes and other insects. This subsection shall be enforced by the local Board of Health.

H. Infestations of rodents, vermin, pest infestations, and conditions causing same. This subsection shall be enforced by the local Board of Health.

I. Nuisances as defined in this chapter. This section shall be enforced in compliance with Chapters 151 and 162 of the Code.

J. Inoperable vehicles. This section shall be enforced in compliance with Chapter 138 of the Code.

#### **§ \_\_-10. Administrative provisions.**

A. Enforcement officer. Unless otherwise noted herein, it shall be the duty and responsibility of the Town Code Enforcement Official or its authorized representative to enforce the provisions of this code as herein provided.

B. Coordination of enforcement

(1) Inspection of premises and the issuing of orders in connection therewith under the provisions of this code shall be the exclusive responsibility of the Town Code Enforcement Official.

(2) Wherever in the opinion of the Enforcement Officer, it is necessary or desirable to have inspections of any condition by any other department, the Town Code Enforcement Official shall arrange for this to be done.

(3) No order for correction of any violation under this code shall be issued without the approval of the Enforcement Officer, and it shall be the responsibility of the Enforcement Officer before issuing any such order to determine that it has the concurrence of any other department or official of the government concerned with any matter involved on the case in question.

C. Inspections. Town Code Enforcement Official is authorized to enter upon any land, with the permission of the property owner, to perform his or her duty under this code or by way of a search warrant if required by law.

D. Enforcement Procedure

(1) Notice

a. Whenever Town Code Enforcement Official, or other official authorized to enforce the provisions of this section, determines that there is or has been a violation of any provision of this chapter, he or she shall give notice of such violation to the person, persons or entities responsible therefore under this section.

b. Such notice shall be in writing and shall contain the following information

- i. The address and block and lot of the property
- ii. A concise statement of the reasons for its issuance.
- iii. Directions, including a time limitation, on how to remedy the violation.
- iv. Information regarding the right to appeal
- v. Information regarding the Town's ability to remedy the violation and file a lien on the subject property for the costs thereof.

c. Such notice shall be deemed to be properly and sufficiently served if a copy thereof is sent by regular mail to the last known address of the person or entity upon which the same is served, as shown by the most recent tax records of the Township, or a copy thereof handed to said person or persons, or a copy thereof left at the usual place of abode or office of said persons or entities.

d. Notice shall be given as aforesaid within or without the Town and shall state that unless the violation is abated, removed, cured, prevented or desisted within thirty ( 30) days of the date of service of such notice (exclusive of the date of service), a summons shall be issued for such violation and the Town, within its discretion, may abate, remove, cure, prevent or desist the violation with the cost to be paid by the owner of the property and a lien filed against the property.



(2) Extension of time for compliance. The Town Code Enforcement Official may extend the period for compliance with the requirements of this section in regard to the violation stated in the notice for a period in excess of the aforesaid thirty (30) days if, in his/her judgment, the abatement, removal, prevention, cessation or cure of the condition violated cannot reasonably be effected within the thirty (30) day period; and in such cases, the Town Code Enforcement Official shall state such reasonably required extended period in the notice, which shall then be applicable instead of the aforesaid thirty ( 30) days.

(3) Issuance of Summons

a. In the event that the violation is not abated, removed, cured, prevented or desisted from or otherwise fully remedied by the property owner within said thirty (30) day period or within such extended period as set forth in the notice, pursuant to the foregoing, a summons shall be issued against the person, persons, entity or entities so notified.

b. Any extension beyond sixty (60) days must be approved by the Mayor and Council.

(4) Cost of abatement. Where abatement of any condition in violation of this Chapter was accomplished and the premises brought into compliance with this chapter through the expenditure of Township funds, such costs shall be assessed against the premises cited as a lien in the same manner as real estate taxes if ordered by the court and enforced by the same officers and in the same manner as taxes.

E. Citizen Complaints.

(1) Citizens may make complaints to the Code Enforcement Official regarding violations of this property maintenance code. Each complaint must be submitted to the code enforcement official, or his or her designee, in person. The Code Enforcement Official shall develop a complaint form requiring the following information.

- i. Date of complaint;
- ii. Property address (including block and lot) of the property containing the alleged violation;
- iii. The specific nature, extent and location, within the premises, of the alleged violation; and
- iv. The action requested to be taken upon the complaint by the code enforcement officials.

(2) Each complaint form shall be signed by the code enforcement official, or designee, who takes the complaint, and a copy of the signed, filled-in complaint form shall be given to the complainant at the conclusion of the interview from which the filled-in complaint form is derived. If the nature of the complaint is such that it does not provide a factual basis for a violation of this property maintenance code, it shall be so stated, in writing, on the complaint form prior to giving a copy to the complainant. All complaints providing a factual basis for a violation of this property maintenance code shall be investigated and the complained-of premises shall be inspected for such violation by the appropriate code enforcement official within 10 business days of the date of the complaint, unless the premises complained of are under investigation for the same or similar violation at the time the complaint is made or the premises complained of have, within six months of the complaint, been inspected in a manner which should have detected the complained-of violation. In the event that the premises complained of are under investigation at the time

the complaint is made, the new complaint shall be added to and made a part of such existing investigation.

**F. Emergency conditions.**

(1) Whenever the Town Code Enforcement Official finds that an emergency condition in violation of this chapter exists and that such condition requires immediate attention in order to protect the public health or safety, he or she may issue an order by service of notice as set forth in subsection D. above, reciting the existence of such emergency condition and requiring that such action be taken by the violator as soon as is reasonably necessary to meet the emergency.

(2) Notwithstanding any other provision of this chapter to the contrary, such order shall be effective immediately. Any person to whom such an order is directed shall comply therewith immediately, but upon objection in writing to the Town Code Enforcement Official, any such person shall be afforded a hearing before the governing body of the Town as soon as is reasonably possible.

(3) After such hearing and decision by the governing body as to the existence or nonexistence of the emergency condition, the governing body may continue such order in effect, or modify or withdraw it, subject to the issuance of a summons for violation thereof if such order is continued.

**§ \_\_\_\_-11. Violations and penalties.**

Any person or entity who shall violate any of the provisions of this chapter shall, upon conviction, be punished as follows:

A. For the first offense, by a fine not to exceed two hundred fifty dollars (\$250) or fifty dollars (\$50) per day.

B. For a second offense, by a fine not to exceed five hundred dollars (\$500) or one hundred dollars (\$100) per day.

C. For a third offense or any subsequent offenses, by a fine not to exceed one thousand dollars (\$1,000) or two hundred dollars (\$200) per day.

D. Each day that a violation occurs may be considered a multiple violation and it will not be necessary to issue subsequent summons for each violation.

**§ \_\_\_\_-12. Appeals.**

Within ten (10) days of notification of violation of this Code, an owner, operator, or tenant may appeal for relief from the provisions of this Code to the Board of Adjustment. Said appeal shall be acted upon within forty-five (45) days of the date of appeal and if action is not taken during that time period or during an extension of that period, as agreed to between the and the owner, operator, or tenant and the code enforcement official, the relief shall be considered granted.

**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 may be renumbered for codification purposes.

**SECTION 5.** This ordinance shall become effective following its final passage and publication as required by law.

Vote all ayes  
Motion carried

A copy of this ordinance will be published in the Hunterdon Review, September 17, 2020 edition. A public hearing will be held October 14, 2020.

**RESOLUTION #129-20 – SHARED SERVICE AGREEMENT**

A motion was made by Ms. Johnson, seconded by Mr. Humphrey, to adopt Resolution #129-20 as submitted:

**RESOLUTION # 129-20**

**RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT  
BETWEEN THE TOWN OF CLINTON AND BOROUGH OF HAMPTON, COUNTY OF  
HUNTERDON, STATE OF NEW JERSEY PURSUANT TO N.J.S.A. 40A:65-1, et seq.**

**WHEREAS**, the Town of Clinton (“Clinton”) has agreed to furnish the services of its Police Department pursuant to N.J.S.A. 40A:65-1, et seq.; and

**WHEREAS**, the Town of Clinton and the Borough of Hampton have determined it is in their mutual best interests to provide shared services for Police Supervision of Crossing Guard Services,

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Town of Clinton, in the County of Hunterdon, that the Mayor and the Clerk are authorized to sign the Shared Services Agreement in substantially the same form as attached hereto. (available in the clerk’s office for anyone interested in reviewing).

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

Vote all ayes  
Motion carried

**RESOLUTION #130-20 – LIQUOR LICENSE RENEWAL - CLINTON HOUSE**

A motion was made by Mr. Traphagen, seconded by Ms. Intrabartola, to adopt Resolution #130-20 as submitted:

**RESOLUTION # 130-20**

**WHEREAS**, the Town of Clinton Governing Body is in receipt of an application for the renewal of **PLENARY RETAIL CONSUMPTION LICENSE, #1005-33-003-008** for:

**SIDIROUNDA, L.L.C.  
t/a T CLINTON HOUSE**

**2 WEST MAIN STREET  
CLINTON, NEW JERSEY 08809**

**WHEREAS**, the submitted application form is complete in all respects, fees have been paid and clearance has been received from the New Jersey Department of the Treasury;

**NOW THEREFORE BE IT RESOLVED**, that the Town of Clinton Governing Body does hereby approve, effective September 9, 2020 renewal of the above captioned license for the 2020-2021 year and that a copy of this Resolution be forwarded to the Division of Alcoholic Beverage Control.

Vote all ayes  
Motion carried

**RESOLUTION #131-20 – STIGMA FREE COMMUNITIES**

Ms. Johnson promoted the following resolution, explaining the opportunities available to victims of substance abuse disorders and the associated mental illnesses. Stacey Becker is the Assistant Mental Health Administrator, A&D Director for Hunterdon County. Support and help is available and a Municipal Toolkit is also available. Broadcasting the information on social media to make communities aware is being done and everyone is asked to share the information as well. A motion was made by Ms. Johnson, seconded by Ms. Intrabartola, to adopt Resolution #131-20 as submitted:

**RESOLUTION #131-20**

**Stigma Free Communities Resolution**

***WHEREAS***, the Hunterdon County Board of Chosen Freeholders, along with the Hunterdon County Department of Human Services, supports the designation of ***Stigma-Free Communities*** in every municipality, and;

***WHEREAS***, at their May 5, 2015 meeting the Hunterdon County Board of Chosen Freeholders unanimously passed a resolution supporting the designation of Hunterdon County as a Stigma-Free Community, and;

***WHEREAS***, Hunterdon County recognizes that one in four Americans has experienced mental illness, including substance use disorders, in a given year according to the National Institute of Mental Health, and;

***WHEREAS***, mental health problems are more common than cancer and heart disease combined, affecting children and adults, including more than half of our Iraq and Afghanistan Veterans treated at Veteran's Administration hospitals, and;

***WHEREAS***, given the serious nature of this public health problem, we must continue to reach the millions who need help;

***WHEREAS***, the stigma associated with the disease of mental illness is identified as the primary reason individuals fail to seek the help they need to recover from the disease, and;

***WHEREAS***, ***Stigma-Free Communities*** aim to inspire public interest and open dialogues about stigma, raise awareness of the disease of mental illness and create a

*culture wherein residents who have the disease of mental illness feel supported by their community and neighbors and feel free to seek treatment for the disease without fear of stigma and;*

***WHEREAS**, promoting awareness that there can be no “health” without mental health will break down barriers and encourage residents of all ages to be mindful of their mental health and ask for help when needed, and;*

***WHEREAS**, local resources are available to treat the disease of mental illness so no one resident needs to suffer alone or feel hopeless, and;*

***WHEREAS**, establishing **Stigma-Free Communities** will raise awareness of resources and encourage residents to engage in care as soon as the need is identified so recovery can begin, hope is inspired, and tragedies are avoided, and;*

***NOW THEREFORE BE IT RESOLVED** that the Town of Clinton recognizes the community needs and supports the efforts of the County of Hunterdon in designating the Town of Clinton as a **Stigma-Free Community**.*

Vote all ayes  
Motion carried

#### **RESOLUTION #132-20 – EXTENSION OF OUTSIDE DINING**

A motion was made by Ms. Karsh, seconded by Ms. Dineen, to adopt Resolution #132-20 as submitted, extending outdoor dining for all food and beverage establishments to continue through November 30, 2020:

#### **RESOLUTION # 132-20**

#### **RESOLUTION AUTHORIZING TEMPORARY OUTDOOR DINING**

**WHEREAS**, since March 15, 2020, restaurants in the Town of Clinton have been greatly impacted due to the COVID-19 pandemic; and

**WHEREAS**, on March 16, 2020, Governor Murphy issued Executive Order No. 104 which limited restaurants to providing take-out food only, and on June 3, 2020, Governor Murphy issued Executive Order No. 150 which provided for the ability of restaurants to open outdoor dining for food and beverage consumption, including alcoholic beverages, subject to municipal approval; and

**WHEREAS**, the Town of Clinton Council wishes to provide relief to those restaurants being impacted by COVID-19 by allowing temporary outdoor seating in accordance with Executive Order No. 150.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Clinton Council, in the County of Hunterdon, State of Jersey, hereby authorizes the Zoning Officer to issue outdoor dining permit approvals for in-person service by all food and beverage establishments within the Town at contiguous outdoor areas under the possession and control of the owner or licensee of the food and beverage establishment, including but not limited to potential expansion of such dining onto sidewalks, parking lots and other public rights of way; and

**BE IT FURTHER RESOLVED**, that all holders of liquor licenses with retail consumption privileges are hereby approved for an ABC COVID-19 Expansion of Premises Permit, in accordance with the rules and regulations established by the Division of Alcoholic Beverage Control, and the Town Clerk and the appropriate Law Enforcement Official be and hereby are authorized to endorse any such application; and

**BE IT FURTHER RESOLVED**, that all food and beverage establishments within the Borough that wish to incorporate the use of outdoor dining must continue to follow the rules and regulations set forth by Governor Murphy, the New Jersey Department of Health's Executive Directive 20-014, as the same may be amended from time to time, the Hunterdon County Department of Health, as well as all other applicable local, state and federal laws; and

**BE IT FURTHER RESOLVED**, the total number of seats/customers at one time must not exceed the total permitted restaurant capacity and must not impede pedestrian circulation, parking, or the public right-of-way; and

**BE IT FURTHER RESOLVED**, restaurants may display one temporary sign to notify the public of dining options and restrictions so long as the signage does not interfere with public safety; and

**BE IT FURTHER RESOLVED** that outdoor dining permitted by this Resolution shall be permitted to commence at 6:00 a.m. on Monday, June 15, 2020 and shall extend through November 30, 2020; and

**BE IT FURTHER RESOLVED** that all municipal fees associated with the review and approval of outdoor dining shall be waived for the year 2020.

Vote all ayes  
Motion carried

#### **SPECIAL EVENT APPLICATION – RUN O'THE MILL 5K**

A motion was made by Ms. Karsh, seconded by Ms. Johnson, to approve the Run O'the Mill 5K race scheduled for Saturday, March 13, 2021. The event will be held as in years past. Chief Kubinak has reviewed the request and has signed off on it.

Vote all ayes  
Motion carried

#### **SPECIAL EVENT APPLICATION – FIRST RESPONDERS EVENT**

A special event application received from resident, Carmen Iazzetta, to host a First Responders Event on Saturday, September 19, 2020 at Hunts Mill Park. Mr. Iazzetta attended the meeting to address any questions council may have. The event is to support all local Town first responders. The event is scheduled to be held from 3:00 p.m. to 5:00 p.m. Dr. D. will entertain the families in attendance and Designer Dawgs will supply the food. The only speakers will be the heads of the Police, Fire and Rescue and a welcome by Mayor Kovach. Chief Kubinak reviewed the application prior to the meeting. A motion was made by Mr. Traphagen seconded by Mr. Humphrey to approve the event as requested.

Vote all ayes  
Motion carried

#### **CORRESPONDENCE – NONE**

#### **REPORTS OF COUNCIL**

**Police Chief Kubinak**

Chief Kubinak stated he is seeking crossing guards, one guard that left last year has returned and will be filling the post at Union Road and Route 173. He is still accepting applications.

**Town Clerk Covino**

Reported the Hunterdon County Clerk has prepared a very detailed video regarding voting this year and the ballot process. A link will be placed on the Town Website linking to the video. All voting will be mailed in ballots except for ADA availability at the poll at the Community Center. Notices will also be placed of Town Hall door for interested residents. Last day to register is October 13. Ballots will all be mailed by October 5, 2020. A drop box will be placed at the Hunterdon County Library on Halstead Street.

**Tara St. Angelo, Attorney**

For the next meeting, a re-developer's agreement for the Ingerman Project in regards to the A&P site. Ms. St. Angelo would also like to hold a discussion regarding a pilot agreement for the site and discuss with council the possibility of hiring an expert to evaluate the financial benefits and detriments of a PILOT agreement with Ingerman.

**Councilwoman Intrabartola**

Buildings and Grounds – Ms. Intrabartola questioned the status of the Community Center since the Governor's was allowing gyms to reopen and people are asking to rent it again. Mayor Kovach explained that it will remain closed possibly through the end of the year but may be re-evaluated at some point. A motion was made by Ms. Intrabartola, seconded by Ms. Johnson to allow a re-evaluation of opening the community center to take place as needed, but for now to remain closed.

Vote all ayes  
Motion carried

Ms. Intrabartola discussed forming a Diversity Inclusion Committee she is interested in setting up which will make Clinton a welcoming community for everyone. On Friday, Ms. Intrabartola will be meeting Leon Andrews, the Director of Race, Equity and Leadership of the National League of Cities, to discuss best practices to keep in mind while setting up the committee. Ms. Intrabartola welcomed questions and suggestions from Council and invited anyone interested to join her on Friday. Ms. Intrabartola will follow up at the next council meeting to report on her findings.

**Councilman Traphagen**

Rescue Squad – reported 349 calls and recruited 10 new members.

Shade Tree – many calls and reports of Lantern Flies in key areas. The Tree of Heaven seems to attract the flies and Ms. Johnson asked if there was a plan to eliminate some of them. Mr. Traphagen said the a commission is working on compiling a list of areas affected and to work with the Department of Agriculture in ways of combating the issue. Residents with concerns should reach out to the Shade Tree Commission.

**Councilwoman Karsh**

Clinton Guild – addressing the issue of weeds on the curbs and sidewalks of Main Street. It is the responsibility of the property owners to maintain their sidewalks and Ms. Karsh made a plea to property owners to please maintain them. There is an ordinance on the books that addresses owners to properly

care for the properties and if weeds or grass get out of control, an informal letter will be sent to the property owner, giving them 10 to correct the problem. If they do not respond, the town will step in and place a lien on the property owner. Mr. Phelan encourages residents to call him with problems and we can advise them if a Notice of Violation has been issued. Property owners are responsible for sidewalk maintenance, which includes weeding and snow removal. Ms. Karsh asked Mr. Phelan to put together a chart of the amount of sidewalks there are in Town if we were to maintain them. The Town repairs and replaces approximately 5% of all sidewalks at a cost of approximately \$250,000 per year. The Town has a \$4M budget, and sidewalk repair is a huge cost to be spent maintaining them. If DPW starts weeding Main Street, they will have to do all properties, which is an impossible task.

Teachers Week is September 21; Drive-In Movie Night, September 26 and Pumpkin Fest, October 30.

Economic Development Commission – Councilman Humphrey and Councilwoman Karsh have been working on videos which have been seen by many and has brought business to Main Street. A recent video of Balic of Clinton showcased the owner, Wendy's, talent in painting wine glasses, decanters, and other beautiful items! Other businesses will be filmed and promoted through social media.

Ms. Karsh is stating a coalition to address safe walking and sidewalk safety and will be meeting with Tara Shephard from Go Hunterdon and Sue Haas from Basil Bandwagon. Concerns of safety crossing Old Route 22 now and even more so in the future with the development of the A&P site.

#### **Councilwoman Dineen**

Ms. Dineen echoed Ms. Karsh's sentiments about the videos she and Mr. Humphrey have been producing and commented how beautifully done they are. Councilman Humphrey spends approximately 2 to 3 hours of editing of each video which produces the beautiful outcome. Mr. Humphrey deserves a ton of credit and the Guild should be thankful for all he has done. Ms. Dineen encourages council to share the videos on social media.

Roads Committee will meet October 2, will discuss the stormwater ordinance and plan to have something to present to council before the end of the year.

Land Use was held September 1, the Board heard from the engineer and the planner and started to hear from the traffic engineer but had to be carried over to the September 15 meeting where they will hear from the rest of the experts. A traffic study has been completed and Ms. Johnson asked if it was available to the public. Yes, the study and all documents presented are available on the September 1 Land Use tab on the website.

At the meeting of September 15, the board will hear the completeness hearing for the A&P property and if deemed complete, will be on the agenda for October 6. Land Use Board are scheduled to meet October 6, 13, and 20, 2020 to date at 7:00 p.m. Expecting a lot of discussion regarding the upcoming projects. Interested parties can call in to the ZOOM meeting, the link will be on the website with the date of the meeting.

#### **Councilman Humphrey**

Councilman Humphrey said he will anchor a page on Facebook and the Home page of the website with election FAQ's and a link to the County Clerk's office for the video Mary Melfi has produced.

Clinton Fire Department meeting tonight.



The Seniors Committee has suspended meeting since the Covid pandemic. Social activity is not possible at this time.

**Councilwoman Johnson**

School Board will meet September 22 and transitions are expected. Councilwoman Johnson asked for support to the staff and administration.

Board of Recreation – playground revitalization project will be co-directed with resident Ken Fischer. Mr. Fischer's experience will be a great asset to moving this project forward.

Drive In movie night, tickets are selling at a great pace, if interested, reach out to the Guild asap!

Fireworks display was held September 5 and thank you to Fire Chief Jeff Hedden, Bucky Buchanan from the Rescue Squad, Jack Daniels, Fire Marshal and Police Chief Kubinak. Great display and thank you to all for making this come together on short notice.

**APPROVAL OF STANDBY AND OVERTIME**

A motion was made by Ms. Intrabartola, seconded by Ms. Dineen, to approve the standby and overtime for the period August 21 through September 3, 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 Mr. Humphrey seconded by Ms. Johnson 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. Humphrey, seconded by Ms. Johnson to adjourn the meeting at 8:35 P.M.

Vote all ayes  
Motion carried

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Cecilia Covino, RMC/CMC  
Municipal Clerk

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Mayor Janice Kovach