

Flag Salute.

Roll Call: Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach
Absent: Dineen

STATEMENT OF ADEQUATE NOTICE:

Mayor Kovach read the following statement: "Adequate notice of this meeting has been provided, indicating the time and place of the meeting and the proposed agenda, which notice was posted, made available to newspapers, and filed with the Clerk of the Town of Clinton in accordance with Section 3(d) of Chapter 231 of the Public Laws of 1975."

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

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

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

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

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

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

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

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

Please feel free to reach out with a note at jkovach@clintonnj.gov anytime!

APPROVAL OF MINUTES

A motion was made by Ms. Johnson seconded by Mr. Humphrey to approve the council meeting minutes of September 23, 2020 as submitted.

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

Vote all ayes
Motion carried

APPROVAL OF SPECIAL MEETING MINUTES

5598

A motion was made by Ms. Karsh, seconded by Ms. Intrabartola, to approve the minutes of the special meeting held October 2, 2020 as submitted.

Vote all ayes
2 Abstentions (Humphrey, Johnson)
Motion carried

APPROVAL OF MONTHLY REPORTS – SEPTEMBER

A motion was made by Ms. Johnson, seconded by Ms. Intrabartola, to accept the monthly reports for the month of September as submitted:

Administrator's Report, Clerk's Account, Cat & Dog Licensing, Construction Control/Inspection Report, Police Report, Tax Collector's Report, Zoning Officer Report/Code Enforcement Report.

Vote all ayes
Motion carried

PUBLIC COMMENTS - NONE

MAYOR'S COMMENTS

1. Richard P. Cushing, Esq. our longtime attorney, was recognized by the Hunterdon County Bar Association with a Lifetime Achievement Award. Congratulations!!
2. A&P preliminary plan and site plan approval was granted at the last Land Use Board meeting October 6, 2020. The developer is still awaiting DOT permits and approvals. A financial expert who specializes on giving advice on the terms of Long Term Tax Exemption Law for approval of an agreement for Payment In Lieu Of Taxes (PILOT) will be hired by the Town.

NEWCOMER'S CLUB – REFUND OF PERMIT FEES

Due to the Coronavirus (COVID-19) many events were cancelled. The Hunterdon County Newcomer's Club was forced to cancel the Annual Chili Cook-Off in April with hopes to do it at another time. However, the Club discussed their options and have chosen to cancel the cook-off indefinitely. The Club hopes some other group will take it over but at this time they will no longer be hosting the event. Therefore, the Newcomer's Club is requesting a refund of the fees paid for the April, 2020 event.

Food Permit, \$125.00

Fire Permit \$54.00

Tricky Tray \$20.00

A total of \$199.00 to be refunded to the Newcomer's Club. A motion was made by Ms. Johnson, seconded by Ms. Intrabartola, to refund the fees as requested.

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

Vote all ayes
Motion carried

WATER REFUND – EM UTILITIES

Nancy Burgess, Water Collector, is requesting a refund be issued in the amount of \$97.00 to EM Utilities for the water usage on a hydrant meter which has a credit. A motion was made by Ms. Karsh, seconded by Mr. Traphagen, to issue the refund as requested.

ROLL Call: Ayes: Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach

Vote all ayes

5599

Motion carried

PUBLIC HEARING OF ORDINANCE #20-19 – PROPERTY MAINTENANCE STANDARDS

A motion was made by Mr. Humphrey, seconded by Ms. Karsh, to open the public hearing of Ordinance #20-19:

ORDINANCE #20-19

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

Vote all ayes
Motion carried

Ms. Karsh had a question for Attorney St. Angelo as to section 9A “Garbage and Rubbish” as it pertains to debris being placed in a trash can, bucket, bag or other vessel to avoid being blowing onto streets or sidewalks. Ms. Karsh asked that the language be tightened up so as to permit large boxes, possibly following a holiday, be exempt from being put into a receptacle until the next recycling day. Ms. St. Angelo will make the minor amendment to the ordinance as requested.

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

Vote all ayes
Motion carried

A motion was made by Mr. Humphrey, seconded by Ms. Johnson, to adopt Ordinance #20-19 on final reading.

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

Vote all ayes
Motion carried

PUBLIC HEARING OF ORDINANCE #20-20 – COMMERCIAL VEHICLES

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

ORDINANCE # 20-20

AMENDING SECTION 88-62 OF THE CODE OF THE TOWN OF CLINTON TO ADD REQUIREMENTS FOR THE PARKING AND STORAGE OF COMMERCIAL VEHICLES IN THE C-1 ZONE

Vote all ayes
Motion carried

Mr. Humphrey questioned the storing of parked vehicles at least 75 feet from a public right-of-way or sidewalk from any sidewalk? Ms. St. Angelo explained that would be any sidewalk of the property or center line of a road. Mr. Humphrey questioned because there is a landscaping vehicle parked at Hunts Mill Park and it is within 75 feet of a sidewalk, however, Ms. St. Angelo explained that it is not a C-1 zone, it is a residential zone and this ordinance does not govern temporary parking. A motion was made by Mr. Humphrey, seconded by Ms. Karsh, to close the public portion of the meeting.

Vote all ayes
Motion carried

5600

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

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

Vote all ayes
Motion carried

RESOLUTION #141-20 – APPOINTMENT OF FINANCIAL EXPERT

A motion was made by Mr. Humphrey, seconded by Ms. Intrabartola, to adopt Resolution #141-20 as submitted:

RESOLUTION APPOINTING A FINANCIAL EXPERT

RESOLUTION # 141-20

WHEREAS an agreement has been executed with Old 22 Urban Renewal Associates LLC, a Redeveloper for a property known as Block 21, Lots, 30.01, 31, 32 and 33 aka the former A&P Supermarket, in which it was indicated that the Redeveloper intends to make an application to the Town under the Long Term Tax Exemption Law for approval of an agreement for payment in lieu of taxes, known as a Financial Agreement;

WHEREAS, the Town of Clinton is in need of contracting for a financial expert who is specialized on giving advice on the terms of a Financial Agreement within the Town of Clinton, Hunterdon County, State of New Jersey; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:5-11 et seq., requires a resolution authorizing the award of the contract for professional services and that the contract itself must be available for inspection.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Clinton, Hunterdon County, State of New Jersey, that the Mayor and the Town Clerk of Clinton are hereby authorized, respectively, to execute and attest to an agreement with Richard Reading for an amount not to exceed \$10,000, according to the attached fee schedule, and that Tara St. Angelo, Attorney, draft a contract and have it executed.

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

Vote all ayes
1 Abstention (Karsh)
Motion carried

Ms. Karsh stated that she will be abstaining from all vote associated with the Old 22 Urban Renewal Associates, LLC Project aka former A&P project as she lives within 200 ft. of the site.

RESOLUTION # 142-20 – PERMANENT APPOINTMENT OF SGT. McGUIRE

A motion was made by Mr. Humphrey, seconded by Ms. Intrabartola, to adopt Resolution 3142-20 as submitted:

RESOLUTION # 142-20

WHEREAS, in October, 2019, Officer Tim McGuire was promoted as a probationary Sergeant with the Town of Clinton Police Department, and

5601

WHEREAS, he has taken charge of his new role and provided solid guidance and support to other members of the department; and

WHEREAS, the department and officers have benefited greatly from Sgt. McGuire's experience and shows great promise for the future; and

WHEREAS, the Chief of Police, J. Cory Kubinak recommends his permanent appointment effective immediately;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Clinton hereby appoint Sergeant Tim McGuire as a permanently appointed Sergeant of the Town of Clinton Police Department,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Sgt. McGuire as well as placed in his personnel file.

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

Vote all ayes
Motion carried

RESOLUTION #143-20 – PERMANENT APPOINTMENT OF SGT. OLLERENSHAW

A motion was made by Ms. Karsh, seconded by Ms. Johnson, to adopt Resolution #143-20 as submitted:

RESOLUTION # 143-20

WHEREAS, in October 2019, Officer Jeff Ollerenshaw was promoted as a probationary Sergeant with the Town of Clinton Police Department, and

WHEREAS, he has successfully completed his one year probationary period and has stepped into his position and has been a positive role model for the officers in the department; and

WHEREAS Sgt. Ollerenshaw's resourcefulness, experience and true ability to talk with and guide members of our community and officers alike, which is a valued quality; and

WHEREAS, the Chief of Police, J. Cory Kubinak recommends his permanent appointment effective immediately;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Clinton hereby appoint Sergeant Ollerenshaw as a permanently appointed Sergeant of the Town of Clinton Police Department,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Sergeant Ollerenshaw as well as placed in his personnel file.

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

Vote all ayes
Motion carried

RESOLUTION #144-20 – GEORGE'S PLACE IMPROVEMNET PROJECT

5602

A motion was made by Ms. Karsh, seconded by Mr. Traphagen, to adopt Resolution #144-20 authorizing Mr. Clerico to submit the application for the George's Place Improvement Project to the State Historic Preservation Office.

RESOLUTION #144-20

Resolution Authorizing Robert Clerico to Submit an Application to the State Historic Preservation Office for the George's Place Improvement Project

WHEREAS, the Town of Clinton has employed the services of Robert Clerico, Van Cleef Engineering Associates, for the preparation of construction documents for the George's Place Improvement Project; and

WHEREAS, these plans require approval by the State Historic Preservation Office;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Clinton hereby authorize Robert Clerico, P.E., to submit the application for the George's Place Improvement Project and fully supports the application being made to the State Historic Preservation Office for approval.

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

Vote all ayes
1 Abstention (Intrabartola)
Motion carried

RESOLUTION #145-20 – COVID-19 - COUNTY GRANT REIMBURSEMENT

A motion was made by Ms. Johnson, seconded by Ms. Karsh, to adopt Resolution #145-20 as submitted allowing municipalities to apply for reimbursement during the COVID-19 epidemic shutdown:

RESOLUTION # 145-20

COVID-19 MUNICIPAL GRANT PROGRAM

WHEREAS, the ongoing COVID -19 public health emergency has shouldered municipal governments in Hunterdon County with unanticipated costs ranging from the acquisition of personal protective equipment (PPE), employee overtime costs, retrofitting of public spaces and acquisition of cleaning materials; and

WHEREAS the Hunterdon County Board of Chosen Freeholders desires to provide funding to assist Hunterdon County municipalities in support of expenditures made in 2020 in response to the COVID-19 public health emergency; and

WHEREAS this program shall be known as the Hunterdon County COVID-19 Municipal Grant Program; and

WHEREAS, the amount of funding for each municipal grant will be determined on the basis of .40 per capita population for each municipality with a minimum grant of \$1,000 and a maximum grant of \$5,000; and

WHEREAS the grant program shall cover the acquisition of PPE, reimbursement of health emergency overtime costs already incurred, purchase of protective infrastructure and equipment (new acquisitions and reimbursement of expenses already incurred), cleaning supplies and services, sanitizer, emergency management expenses, reimbursement of covid-19 related overtime costs and any other costs determined

To be expended in response to the ongoing public health emergency; and

WHEREAS, Hunterdon County municipalities shall submit their grant application for funding in accordance with the above standards by November 30, 2020;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Clinton authorize the creation of the Hunterdon County COVID-19 Municipal Grant Program; and

BE IT FURTHER RESOLVED, that the County Administrator, County CFO, County Counsel, Clerk of the Board and Office of Emergency Management shall be tasked with implementing this program as outlined in this resolution.

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

Vote all ayes
1 Abstention (Traphagen)
Motion carried

SPECIAL EVENT – SANTA CON 8K

Event application will be tabled to the October 28, 2020 council meeting.

SPECIAL CLINTON GUILD EVENT – PUMPKIN FEST / BANNER REQUEST – GUILD

A motion was made by Ms. Karsh, seconded by Mr. Humphrey, to approve the Pumpkin Fest to be held October 30, 2020 from Dusk till 9 p.m. A closure has been requested for Main Street Lower Center and the Pony Truss Bridge. Participants will bring their carved pumpkins to be judged on Main Street joined by a master carver and a storyteller! Council also included the approval of a holiday banner for the Guild to be displayed from November 2 through January 4, 2021.

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

Vote all ayes
Motion carried

CORRESPONDENCE - NONE

REPORTS OF COUNCIL

Attorney Tara St. Angelo

Ms. St. Angelo reported that the Local Finance Notice dated September 24, 2020 from the Division of Local Government Services states that new emergency regulations regarding remote public meetings being held during a declared emergency which require addition language. The annual notice will have to be revised. The next meeting will have a formal policy for comments.

There are no updates on the negotiations with the Clinton Township Sewerage Authority regarding the sewer litigation.

Councilwoman Karsh

Clinton Guild will be hosting the Pumpkin Festival on Friday, October 30 and will have Main Street closed to vehicular traffic, which will be exciting! Visitors are encouraged to wear PPE masks.

5604

Economic Development Commission submitted the town wide economic study grant application. Thank you to everyone to helped, especially Elizabeth Halpin who helped prepare the submission. The Commission is working with the roads committee on the pedestrian safety study and with Go Hunterdon, the group is focusing on the business district at this time.

Water Committee next meeting is Wednesday October 21, 2020 at 8am.

Road Committee met with the fire department and engineer to discuss the space in front of the Clinton House that was addressed at the last meeting by Fire Chief Hedden. The matter is being addressed and looking to alleviate the concerns. Main Street America is offering a grant program of up to \$15,000 to help businesses conform with COVID-19 requirements in an effort to help struggling business maintain operations.

Councilwoman Johnson

Board of Recreation – Movie Night was a great success and ran perfectly in conjunction with the Guild!

School Board meeting is holding their meeting simultaneously with our council meeting this evening.

Sewer Committee will be meeting Friday, October 16, 2020.

Councilman Traphagen

Shade Tree Commission will be meeting October 15. Shade Tree is also working with the Piazza family, owners of the Clean Plate. A huge Sycamore tree on their property along the South Branch has been measured by the Town Arborist, Lou Spanner. By measuring the tree's circumference, it is estimated that the tree is over 200 years old and will be nominated for State Champion Tree. They will receive a plaque and get State recognition! It is great timing for this bit of history in conjunction with the Red Mill's new water wheel and the history of that iconic structure!

Historic Commission will be meeting next week.

Rescue Squad will be holding a coin toss on Saturday, October 17 at the High Bridge station past Gronsky's on West Main Street from 9 – 1pm

Councilman Traphagen, having a history with scouting, has been coaching an Eagle Scout with a project at the Water Street Park. The Boy Scout, Garrett, constructed two new benches in the rear of the park, refinished a bench already there and worked on some planters. A big shout out to Garrett for the improvements made, stop by and check them out!

Councilman Humphrey

Clinton Fire Department – Deputy Chief Scott Wintermute reported 21 calls for the month of September and gave the breakdown as to five fire calls; nine alarm activations; two carbon monoxide; five smell of smoke and two other calls for service; a total of 205 for the year to date. In September, the fire department received the new turn out gear for five firefighters at a cost of \$15,000. The old gear was cleaned and will be repurposed. The engine has been out of service for several month and should be returned towards the end of the week or next week, no cost estimate has been provided yet. Chief Hedden and Deputy Chief Wintermute have met several times with the Fire Marshall to review the plans for the A&P redevelopment project to make sure fire safety is addressed. Chief Hedden and Deputy Wintermute also met with the Road Committee to discuss the layout in front of the Clinton House, and have come up with reasonable solutions to get apparatus to the building without incurring large costs.

5605

Environmental Commission, along with the Shade Tree Commission, expressed concerns of the Lantern Fly invasion and many residents have expressed an increase in the amount of questions. Mr. Phelan identified an entire page on the website. The Commission have also identified a huge quantity of cigarette butts in the Downtown area and discussed prevention management on the discarding of them with the Roads Committee, possibly cigarette stands throughout the area.

Communications Committee – the Halloween Page has been prepared by Council Humphrey and Intrabartola and should be going live Thursday, October 16. Newsletter articles are due before October 29, please reach out to your committees and get the articles in.
Senior Committee – hoping to work with Councilman Traphagen to ramp up the committee again taking COVID precautions into consideration.

The Red Mill Wheel ceremony was terrific!!

Councilwoman Intrabartola

Ms. Intrabartola has been working with Councilman Humphrey to address Halloween trick or treat concerns. Mr. Humphrey took a 46 second video that will be available on social media as well as signs that have been designed and can be printed out for residents to use. “Thanks, no candy here but Happy Halloween!” Other basic communication tips will be on the site as well as to distributing candy and wearing masks. Halloween hours will be Saturday, October 31 from 3 – 7 P.M.

Ms. Intrabartola was contacted by a resident that saw early information on CDC guidelines posted on the site in March that has been updated since then and needs to be corrected. The correction has been made and folks are asked to reach out if misinformation or outdated information is still listed on the website.

Councilwoman Johnson asked that council tag each other and share posts that relate to the town and share the latest and greatest about our wonderful Town of Clinton!!

APPROVAL OF STANDBY AND OVERTIME

A motion was made by Mr. Humphrey, seconded by Mr. Traphagen, to approve the standby and overtime attached to these minutes for September 18 through October 1, 2020.

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

Vote all ayes
Motion carried

PAYMENT OF BILLS

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

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

Vote all ayes
Motion carried

ADJOURNMENT: There being no further business, a motion was made by Ms. Intrabartola, seconded by Ms. Karsh to adjourn the meeting at 8:14 P.M.

Vote all ayes
Motion carried

Cecilia Covino, RMC/CMC, Municipal Clerk

Mayor Janice Kovach