

Flag Salute.

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

**STATEMENT OF ADEQUATE NOTICE:**

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

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

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

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

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

Please use the chat feature in ZOOM to indicate that you wish to be recognized for a comment or a question. You must provide your name and address to be recognized. You can also type in your questions. Feel free going forward to email [councilmeeting@clintonnj.gov](mailto: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](mailto:jkovach@clintonnj.gov) anytime!

**APPROVAL OF MINUTES**

May 26, 2021 minutes tabled.

**APPROVAL OF MONTHLY REPORTS – MAY**

A motion was made by Ms. Dineen, seconded by Ms. Johnson to approve the monthly reports for the month of May as submitted:

Administrator’s Report, Animal Licensing, Clerk’s Account, Police Report.

Vote all ayes  
Motion carried

**PUBLIC COMMENTS – NONE**

**MAYOR’S COMMENTS**

1. Mayor Kovach reported she participated in a meeting with the Horasis Global Meeting. It’s a project that works through the United Nations and talks about smart cities. The theme for discussion was “Fostering Shared Humanity” which discussed ways in navigating through the post COVID-19 future. Some specific topics were what are the best practices to build smart cities while fully embracing digital innovations, how can cities connect with their citizens in real-time to advance the global public good and how do we rebuild a ‘New Normal’ urban economy. Mayor Kovach said was a very informative discussion and was able to give a shout out for New Jersey.

2. Mayor Kovach reminded the council that the free ethic training that was scheduled last year when COVID-19 started is rescheduled for this Saturday, June 12, 2021 at 8:30am to noon. The Town Attorney, Ms. Tara St. Angelo will be facilitating the class. Also on June 23, 2021 from noon to 2:00pm the NJ Institute of Local Government Attorneys is doing a free diversity training. As soon as we get the link anyone interested can request that.

3. A letter of a resignation was received from Tamara Healy who is on the Lane Use Board and is taking a new job opportunity. A motion was made by Ms. Intrabartola, seconded by Mr. Humphrey to accept the resignation with regrets.

Vote all ayes  
Motion carried

4. Mayor Kovach would like to thank Carol Beder from Heart Strings for all her efforts on the downtown planters on the Pony Truss Bridge and the flowers around all the trees on Main Street. She has put in a lot of work planting them and keeping them watered. She has received help from the Friendly Sons of St. Patrick members. If anyone would like to volunteer to water at any time that would be greatly appreciated.

5, Mayor Kovach acknowledged Liz Hedden, who was present, for being Hunterdon County’s 2020 Teacher of the Year. There was no celebration last year due to COVID-19. Congratulations to her and keep doing an amazing job. Ms. Hedden is a valuable member of the fire department as well.

**BANNER REQUEST – TOWN PICNIC**

A request to display a banner promoting the Town Picnic on July 10<sup>th</sup> with a rain date of July 11<sup>th</sup> has been received. The dates to display are June 14 through 28, 2021. A motion was made by Ms. Intrabartola, seconded by Ms. Johnson, to approve the request as submitted.

Vote all ayes  
Motion carried

**PUBLIC HEARING OF ORDINANCE #21-13 – CAPITAL WATER IMPROVEMENTS**

A motion was made by Ms. Intrabartola, seconded by Ms. Dineen, to open the public hearing of Ordinance #21-13:

**CAPITAL WATER IMPROVEMENTS  
ORDINANCE NO. 21-13**

**BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE WATER UTILITY  
IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY,  
APPROPRIATING \$283,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$283,500  
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 Mr. Humphrey, seconded by Ms. Johnson, to close the public portion of the meeting.

Vote all ayes  
Motion carried

A motion was made by Ms. Dineen seconded by Ms. Karsh, to adopt Ordinance #21-13 on final reading.

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

Vote all ayes  
Motion carried

**PUBLIC HEARING OF ORDINANCE #21-14 – CAPITAL VARIOUS IMPROVEMENTS**

A motion was made by Ms. Johnson, seconded by Mr. Humphrey, to open the public hearing of Ordinance #21-14:

**CAPITAL VARIOUS IMPROVEMENTS  
ORDINANCE NO. 21-14**

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY  
THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY,  
APPROPRIATING \$140,900 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$133,855  
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. Johnson, seconded by Ms. Intrabartola, to close the public portion of the meeting.

Vote all ayes  
Motion carried

A motion was made by Mr. Humphrey, seconded by Ms. Karsh, to adopt Ordinance #21-14 on final reading.

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

Vote all ayes  
Motion carried

**PUBLIC HEARING OF ORDINANCE #21-15 – CAPITAL SEWER IMPROVEMENTS**

A motion was made by Ms. Johnson, seconded by Ms. Karsh, to open the public hearing of Ordinance #21-15:

**CAPITAL SEWER IMPROVEMENTS  
ORDINANCE NO. 21-15**

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF EQUIPMENT FOR THE  
SEWER UTILITY IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF  
HUNTERDON, NEW JERSEY, APPROPRIATING \$100,000 THEREFOR AND  
AUTHORIZING THE ISSUANCE OF \$100,000 BONDS OR NOTES OF THE TOWN  
TO FINANCE THE COST THEREOF**

Vote all ayes  
Motion carried

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

Vote all ayes  
Motion carried

A motion was made by Mr. Traphagen, seconded by Mr. Humphrey, to adopt Ordinance #21-15 on final reading.

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

Vote all ayes  
Motion carried

**INTRODUCTION OF ORDINANCE #21-16 – CANNABIS – OPTING OUT**

A motion was made by Ms. Dineen, seconded by Mr. Humphrey, to introduce Ordinance #21-16 on first reading as submitted:

**ORDINANCE # 21-16**

**AN ORDINANCE PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS  
BUSINESSES WITHIN THE TOWN OF CLINTON'S GEOGRAPHICAL BOUNDARIES AND**

**AMENDING SECTION 88-60(G) OF THE CODE OF THE TOWN OF CLINTON TO  
ALLOW THE TOWN MORE TIME AND FLEXIBILITY TO ANALYZE  
POTENTIAL PERMITTED USES**

**WHEREAS**, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

**WHEREAS**, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

**WHEREAS**, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchases items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

**WHEREAS**, section 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location manner and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

**WHEREAS**, section 31b of the Act authorizes municipalities by ordinance to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and

**WHEREAS**, section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (*i.e.*, by August 22, 2021); and

**WHEREAS**, pursuant to section 31b of the Act, the failure to do so shall mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

**WHEREAS**, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and

**WHEREAS**, the Town Council of the Town of Clinton has determined that, due to present uncertainties regarding the potential future impacts that allowing one or more classes of cannabis business might have on New Jersey municipalities in general, and on the Town of Clinton in particular, it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of the Town of Clinton's residents and members of the public who visit, travel, or conduct business in the Town of Clinton, to amend the Town of Clinton's zoning regulations to prohibit all manner of marijuana-related land use and development within the geographic boundaries of the Town of Clinton; and

**WHEREAS**, officials from two prominent non-profit organizations that have been established for the purpose of advising New Jersey municipalities on legal matters such as have been presented by the Act (those organizations being the New Jersey State League of Municipalities and the New Jersey Institute of Local Government Attorneys) have strongly urged that, due to the complexity and novelty of the Act; the many areas of municipal law that are or may be implicated in decisions as to whether or to what extent cannabis or medical cannabis should be permitted for land use purposes or otherwise regulated in any particular municipality; and the relatively short duration in which the Act would allow such decisions to be made before imposing an automatic authorization of such uses in specified zoning districts subject to unspecified conditions, the most prudent course of action for all municipalities, whether or not generally in favor of cannabis or medical cannabis land development and uses, would be to prohibit all such uses within the Act's 180-day period in order to ensure sufficient time to carefully review all aspects of the Act and its impacts;

**WHEREAS**, pursuant to Section 6(c) of the Act, the Cannabis Regulatory Commission (the "Commission") is not obligated to issue rules and regulations regarding the "development, regulation, and enforcement of activities associated with the personal use of cannabis pursuant to [the Act]" until August 22, 2021, which is the same date given allowing municipalities to adopt an ordinance prohibiting the operation of any cannabis business; and

**WHEREAS**, the timing of the Commission's promulgation of those aforementioned rules is not likely to leave municipalities sufficient time to review and consider the implications for developing local regulations regarding cannabis establishments, cannabis distributors or cannabis delivery services;

**WHEREAS**, the Town of Clinton determined that it is in the best interests of its residents to forgo any zoning decisions related to cannabis businesses until such time as the rules and regulations Cannabis Regulatory Commission are adopted and can be fully reviewed; and

**WHEREAS**, nothing herein shall prevent the Town of Clinton from repealing this ordinance and, in the future, adopting an ordinance permitting and regulating the operation of any of the classes of cannabis businesses in any of the zoning districts within the Town;

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

1. Pursuant to section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16), all cannabis establishments, cannabis distributors or cannabis delivery services are hereby prohibited from operating anywhere in the Town of Clinton, except for the delivery of cannabis items and related supplies by a delivery service.

2. Section 88-60(G) of the Code of the Town of Clinton is hereby deleted in its entirety and replaced with the following:

G. Prohibited Uses

(1) Any use that is not specifically permitted in a zone district is prohibited.

(2) All classes of cannabis establishments or cannabis distributors or cannabis delivery services as said terms are defined in section 3 of P.L. 2021, c. 16, but not the delivery of cannabis items and related supplies by a delivery service are prohibited in all zoning districts

3. Any article, section, paragraph, subsection, clause, or other provision of the Code of the Town of Clinton inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

4. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

5. This ordinance shall take effect upon its passage and publication and filing with the Hunterdon County Planning Board, and as otherwise provided for by law.

Vote all ayes  
Motion carried

A copy of this Ordinance will be published in the Hunterdon Review News edition of June 16, 2021.  
A public hearing will be held July 14, 2021.

**INTRODUCTION OF ORDINANCE #21-17 – AMENDING LAND USE ORDANCE**

A motion was made by Ms. Johnson, seconded by Ms. Karsh, to introduce Ordinance #21-17 on first reading as submitted:

**ORDINANCE # 21-17**

**AN ORDINANCE AMENDING SECTION 88-56 OF THE CODE OF THE TOWN OF CLINTON  
REGARDING PERMITTED USES IN THE INDUSTRIAL DISTRICTS**

**WHEREAS**, pursuant to N.J.S.A. 40:55D-62b, the Mayor and Council of Town of Clinton (the “Council”) is authorized and empowered to adopt and amend the zoning ordinances of the Town of Clinton; and

**WHEREAS**, the Town Land Use Board has determined this ordinance is consistent with the goals and objectives of the Town’s Master Plan Reexamination adopted on December 6, 2018; and

**WHEREAS**, the Town’s Industrial District encompasses one approximately 73-acre area known as “the Industrial Tract;”

**WHEREAS**, the “Periodic Reexamination of the Master Plan and Development Regulations” dated December 16, 2018 notes that the “Industrial Tract” has limited vehicle access and states:

- The intersection providing access to the tract, which includes Interstate 78’s off-ramp to Clinton-Pittstown Road, is beyond capacity and, therefore, experiences severe vehicle congestion.
- Vehicle access to the tract is limited to one street which only connect to Clinton-Pittstown Road.

**WHEREAS**, the Mayor and Council have determined, based upon advice from the Town Planner, that warehouse uses are inappropriate for a tract with limited vehicular access; and

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

**SECTION 1.** Section 88-56(A) of the Code of the Town of Clinton (“Code”) regarding permitted uses in the “Industrial Districts” is amended as follows (Additions indicated in boldface and italics *thus*; deletions indicated with strike-through ~~thus~~):

A. The following are permitted principal uses:

- (1) Processes of manufacturing, fabrication, assembly, packaging, treatment or conversion of products.
- (2) Scientific or research laboratories devoted to research, testing, design and/or experimentation and processing and fabricating incidental thereto.
- (3) Office buildings for business, professional, executive and administrative purposes.
- (4) Data processing facilities.



~~—————(5) Warehouses and wholesale distribution centers.~~

(6) Municipal buildings and municipal uses, including municipal garages and storage and maintenance yards.

(7) Agricultural uses.

**SECTION 2.** Section 88-56(B) of the Code of the Town of Clinton (“Code”) regarding accessory uses in the “Industrial Districts” is amended as follows (Additions indicated in boldface and italics *thus*; deletions indicated with strike-through ~~thus~~):

B. The following are permitted accessory uses:

(1) Off-street parking areas in accordance with §88-62.

(2) Signs, in accordance with §88-64.

(3) Outdoor storage in accordance with §88-60Q.

(4) Wireless telecommunications antennas in accordance with §88-60Z.

(5) Other accessory uses customarily incident to the uses listed in Subsection A.

(6) *Warehousing, directly related and customarily accessory to the principal use for the storage of any type of goods, materials, products, supplies, or equipment used in connection with the principal permitted use or any products produced in connection with the principal permitted use.*

**SECTION 3.** All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

**SECTION 4.** 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 5.** The Town Clerk is hereby directed, upon adoption of this ordinance after public hearing, to publish notice of the passage thereof and to file a copy of this ordinance with the Hunterdon County Planning Board as required by N.J.S.A. 40:55D-16.

**SECTION 6.** This Ordinance shall take effect upon final passage, publication, and filing with the Hunterdon County Planning Board, all in accordance with the law.

Vote all ayes  
Motion carried

A copy of this Ordinance will be published in the Hunterdon Review News edition of June 16, 2021.  
A public hearing will be held July 14, 2021.

**INTRODUCTION OF ORDINANCE #21-18 – BOND ORDINANCE - POLICE DEPARTMENT**

A motion was made by Ms. Karsh, seconded by Ms. Johnson, to introduce Ordinance #21-18 on first reading as submitted:

**ORDINANCE # 21-18**

BOND ORDINANCE PROVIDING FOR THE FUNDING OF PRELIMINARY EXPENSES IN CONNECTION WITH THE CONSTRUCTION OF AN ADDITION TO THE POLICE DEPARTMENT BUILDING OR THE CONSTRUCTION OF ANOTHER STRUCTURE IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$150,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$142,500 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 is hereby 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 sum of \$150,000, including the sum of \$7,500 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$142,500 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 hereby authorized and the purpose for the financing of which the bonds are to be issued is to fund preliminary expenses in connection with the construction of an addition to the Police Department building or the construction of another structure, including all related costs and expenses incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

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 are permitted to 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 15 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 \$142,500, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$150,000 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.

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 Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) 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 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 copy of this Ordinance will be published in the Courier News edition of June 12, 2021.  
A public hearing will be held June 23, 2021.

**FIRE PERMIT \$54.00 – HAUNTING ON THE RIVER**

Ms. Christine Groth, the organizer for the movie, Haunting on the River, to be held at the Red Mill Museum is requesting a waiver for the fire safety permit in the amount of \$54.00.  
A motion was made by Ms. Karsh, seconded by Ms. Dineen, to grant the request.

Vote all ayes  
Motion carried

**RESOLUTION #104-21 – LIQUOR LICENSE RENEWAL – QUICK CHEK**

A motion was made by Mr. Traphagen, seconded by Ms. Intrabartola, to adopt Resolution #104-21 as submitted:

**RESOLUTION # 104-21**

**WHEREAS**, the Town of Clinton Governing Body is in receipt of an Application for the renewal of **PLENARY RETAIL DISTRIBUTION LICENSE #1005-44-001-006** for;

**QUICK CHEK FOOD STORES/SHOPRITE LIQUORS  
41, 41 ½ & 43 OLD HIGHWAY ROUTE 22  
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 June 30, 2021, renewal of the above captioned license for the 2021-2022 year and that a copy of this Resolution be forwarded to the Division of Alcoholic Beverage Control.

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

Vote all ayes  
Motion carried

**RESOLUTION #105-21 – ADDENDUM TO REDEVELOPERS AGREEMENT WITH  
OLD URBAN RENEWAL ASSOCIATES LLC**

RESOLUTION #105-21 was TABLED to next meeting.

**RESOLUTION #106-21 – TREATMENT WORKS APPROVAL FOR CLINTON TWP  
PROPERTY**

A motion was made by Mr. Humphrey, seconded by Ms. Karsh, to adopt Resolution #106-21 as submitted:

**RESOLUTION # 106-21**

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE STATEMENTS OF  
CONSENT TO SUPPORT THE SUBMISSION OF THE TREATMENT WORKS  
APPROVAL APPLICATION TO THE STATE OF NEW JERSEY DEPARTMENT OF  
ENVIRONMENTAL PROTECTION WITH REGARDS TO 1355 ROUTE 31,  
CLINTON TOWNSHIP, NJ 08801 (APARTMENTS AT CLINTON) TOWNSHIP OF  
CLINTON BLOCK 82, LOT 4.03**

**WHEREAS**, there is a need to apply for Treatment Works Approval from the State of New Jersey Department of Environmental Protection Division of Water Quality in connection with the proposed construction of seven (7) multi-family buildings consisting of eighty-four (84) residential units and one (1) community building/clubhouse development by PIRHL Development, LLC in the Township of Clinton (the “Project”); and

**WHEREAS**, the Town of Clinton, as owner/operator of the Waste Water Treatment Facility, is required to consent to the filing of the Treatment Works Approval Permit Application for the Project.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Clinton that the Mayor is authorized to sign for the Governing Body at appropriate locations on the NJDEP WQM-003 Statements of Consent Form for the Treatment Works Approval Permit Application to be filed in connection with for the Project.

Vote all ayes  
Motion carried

**RESOLUTION #107-21 – PETTY CASH FOR RECREATION**

Ms. Intrabartola explained the reason for the petty cash is to have money on hand for activities at the Town Picnic. There will be activities and raffles supported by the recreation committee. Some activities will have a small fee and some activities which will be free. Residents can bring their own food and alcoholic beverages but there will also be food vendors and alcoholic beverages for sale. The committee is trying to generate some revenue to help pay for the Town Picnic with these small charges.

A motion was made by Ms. Intrabartola, seconded by Ms. Karsh, to adopt Resolution #107-21 as submitted:

**RESOLUTION #107-21**

**AUTHORIZING THE CHIEF FINANCIAL OFFICER OF THE  
TOWN OF CLINTON TO MAINTAIN PETTY CASH FUND FOR THE RECREATION  
COMMITTEE IN THE AMOUNT OF \$250.00**

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund for the Town of Clinton Recreation Committee, and;

WHEREAS, it is the desire of the Mayor and Council that said fund be continued under the direction of the Chief Financial Officer;

**NOW, THEREFORE, BE IT RESOLVED**, on this 9<sup>th</sup> day of June 2021 by the Mayor and Council of the Town of Clinton, New Jersey, that the following Petty Cash Fund be established:

Chief Financial Officer, Kathy Olsen, \$250.00

The Chief Financial Officer, having custody of the Fund, must maintain said Fund in accordance with the laws and regulations governing its operation.

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

Vote all ayes  
Motion carried

### **CLINTON FIRE DEPARTMENT DISCUSSION**

Councilwoman Dineen started the discussion by giving an overview from previous discussions. The fire department came to Mayor and Council to possibly converting to a fire district. There was a meeting back in February where Mayor and Council got a tour of the fire house and bays. Mayor and Council received a lot of information on how the fire department is run and its expenses. Mr. Rich Braslow, the Consultant Lawyer at that time gave an overview on fire districts. Mayor Kovach requested an establishment of a task force consisting of Ms. Dineen, Mr. Humphrey, Ms. Johnson, members of the fire department, and members from the community, Ms. Nicole Ayes and Mr. Dino Rentoulis. The team met often and the purpose was to establish a long term goal for supplying fire submission and protection to the town to be sustainable now and in the future. The team looked at all options such as shared services and municipal contributions but determined those would not be a good viable option. They looked at other fire departments and how they operated. They talked to the Local Finance Board. The final recommendation would be to go to a fire district. Two advantages are it creates an oversight for fire suppression where the elected fire commissioners would oversee the district and gives voters input in the form of referendums on major capitol items to what the district can spend money on. Therefore, the task force made a recommendation to go ahead to form a fire district. The first step would be to put out a petition to the voters which the fire department has already started and is available tonight for anyone who wishes to sign. Ms. Dineen turned the discussion over to the fire department.

Several members of the fire department's executive board were present. Matt Brown, Secretary, spoke on behalf of the department to explain that the main reason for the change is to have a sustainable funding source. As of now the revenue comes from the Town, fund raising, and donations. Sometimes these are not very steady for example fund raising went way down due to COVID-19. Establishing a Fire District does not take away the fire department. A Fire District will be the funding source for the fire suppression and prevention in the town. It does not take the place of the fire company. The District would receive money through a fire tax on the residents. The money is spent in accordance of state statute. The fire company would receive their money through the Fire District. The fire company would still act as a non-profit and have their own by-laws. The Fire District will be governed by a Board of Fire Commissioners elected by the public and regulated by the Department of Community Affairs, Division of Local Government Services, and the State Office of the Controller. There are about 180-185 Fire Districts in the State with three being in Hunterdon County. They are Franklin Township, East Amwell, and Lambertville City. The proposed levy on the taxpayers which is a high estimate would be about \$ .125 per \$100 of assessed value. Mr. Brown emphasized again this was a high estimate. This is not the exact amount. With other factors involved it can come to about .09 to .11 cents per assessed value.

Dino Rentoulis, a resident who was on the task force team, added that they gathered all the information from the fire department and council members and with all the recommendations there is no other alternative. We need to come up with a long term plan to keep people safe and this was it after talking to everyone.

Rich Braslow, the Consultant Lawyer, explained the process to the Mayor and Council. The process to create a fire district is to have a petition signed by 5% of the voters which is submitted to the clerk who verifies the signatures. The governing body will have a hearing to create the fire district and adopt a resolution. The application will then be submitted to the Local Government Finance Board for approval.

Upon creation there will be a Board of Fire Commissioners made up of five members voted by the public. This process takes time and if the town wants to go ahead with this to start next year the paper work should be done by August the latest.

Rich Braslow answered some questions from council such as is there a population factor for creating a fire district. There is no population number. Can be any amount of people. Another question was about the election for the Board which is normally in February can it be changed to November? Yes it can be changed to November with the vote of the Board of Fire Commissioners. Does the Fire District have to go by the same rules for purchasing statutes as a municipality? Absolutely, the Local Public Contract Laws apply to Fire Districts in the same manner as municipalities. If the fire district needs a Qualified Purchasing Agent (QPA) they can have a service agreement with the municipality to use their QPA for the purchase? Can other fire departments join together to create a Fire District? No, the New Jersey state does not allow that for fire departments. How do you determine what revenue goes to fire company and the fire district? Regular donations and fund raising would go into the fire company. Appropriation revenue such as funds from insurance companies and donations from other municipalities that the fire districts serves would go to the fire district for example Union Gap and the homes at Lookout Pointe in Union Township.

Mayor Kovach questioned whether this information was given out to the public yet? Matt Brown said the fire department members plan on going out to the residents door to door to solicit an interest in this plan. They want the residents to have the ability to understand what it means to have a fire district and be comfortable with the idea. Mayor Kovach told the fire department members to keep them informed on how things are going and when they get 5% of the petition signed. There will be more discussions in the near future.

Mayor and Council were disappointed that there were no public present for the discussion. There were a few residents on zoom. Before they decide to put this tax to the residents, mayor and council would like to have another meeting where hopefully they get residents to come out to listen and express their opinions.

## **CORRESPONDENCE - NONE**

### **Reports of Council**

#### **Police Chief Cory Kubinak**

Chief Kubinak reported there has been a few complaints about a trumpet player on Main Street. The trumpet player has been on Main Street every night till about 10:00pm. He was told he was in violation of the noise ordinance and if he wanted to continue to put in a special event form to the Mayor and Council.

The department will be getting new body cams from the state for the new police officers. He received approval on that already. The department will be receiving \$26,392.00 over the next five years.

#### **Councilwoman Johnson**

The Town Picnic will be July 10 with a rain date of July 11 starting at 3:00pm with fireworks to follow at dusk. There will also be music, inflatables, food vendors, and a State Police helicopter will be landing.



Ms. Johnson would like to thank Laura Burr and Kristina Tuxhorn. These ladies have been putting together things that normally would take months in a couple weeks. They have worked with Kathy Olsen, CFO, and Richard Phelan, Business Administrator, to accomplish everything. A special thanks to them as well.

A survey for the redevelopment of the Community Center Park was put in the newsletter and out on the Town's website to get feedback from the residents. As of tonight over 400 people have submitted the survey. Many positive ideas and people who want to volunteer is coming from the responses. The Recreation Committee will find out in a couple weeks about the grant that was submitted. The budget and timeline will be determined by the outcome of the grant. Ms. Johnson thanked Richard Phelan, Business Administrator, and the Public Works department for all their help on what some of the cost might be and getting some quotes.

**Councilman Humphrey**

Mr. Humphrey and Mr. Traphagen chose a date for The Senior Brunch which will be September 11, 2021 at the Clinton Fire Department. It is to launch the Elders Committee for the active seniors. Mr. Traphagen said they will be meeting with the Recreation Committee to organize the event. Councilwoman Johnson recommended reaching out to Nancy Smith and Rosemary Pendergast since they have stepped down from organizing this luncheon, because they did an excellent job and will have a lot of information.

Mr. Humphrey reported from his seat on the New Jersey League of Municipalities liquor license committee about reforming the bill. Some of the items are to eliminate the population control requirement. Owners who have pocket licenses can exchange them for money. Also open it up for municipalities to obtain liquor licenses every three years where the municipality can give to someone who needs one. The license will not be owned by the recipient and they are not pocket licenses. If those businesses go out of business the license goes back to the municipality. The next meeting will be in two weeks and a draft will hopefully be started.

**Deputy Clerk, Nancy Burgess**

The primary election held on Tuesday, June 8, 2021, went well.

**Town Attorney, Ms. Tara St. Angelo**

Ms. St. Angelo reminded Mayor and Council about the Ethics class which will be held this Saturday, June 12, 2021 at 8:30am to noon in the council room.

**Councilwoman Karsh**

The Water Committee meets next Wednesday, June 16, 2021.

The Clinton Guild will be having the Flag Day celebration this Friday, June 11, 2021, starting at 6:30pm on the Hunterdon Art Museum's terrace. The flag retirement burning will be at the Red Mill Museum.

The annual side-walk sale is July 23 and 24, 2021.

In August we will be celebrating women in business.

A reminder, the Clinton Guild has their get together Friday night music.

The Economic Development Committee met last night. Tomorrow the Economic Study team will be walking through town with herself, the Mayor, Ms. Dineen and a few members of the Economic Development Committee. They will be pointing out items in town, answering questions, and hopefully soon will have some results from the study.

**Councilwoman Dineen**

The Land Use Committee meets next week.

The Roads Committee meets Friday, June 11, 2021.

**Councilwoman Intrabartola**

Ms. Intrabartola said the historic sign coming into town from Center Street was missing. Was wondering what happened to it. Residents have noticed it missing and have mentioned it to her. Mr. Phelan said it was taken down to be repaired and also the "Welcome to Clinton" signs are to be cleaned. Mr. Phelan said they are just dirty and we do not want to use chemicals or a power washer to clean them. Mayor Kovach recommended white vinegar. Ms. Johnson recommended blue Dawn, liquid detergent.

**Councilman Traphagen**

The South Branch Rescue Squad had 367 calls this month and they are having a blood drive on June 27, 2021.

The Historic Commission meets next week.

Mayor Kovach, the Mayor of Union Township and himself met with Hank Bonnell the owner of the Bonnell Tavern property to determine the next step. Mr. Bonnell was looking for any of our recommendations and offered if anyone would like a tour of the tavern he would gladly take them around.

**STANDBY AND OVERTIME**

A motion was made by Ms. Intrabartola, seconded by Ms. Dineen, to approve the standby and overtime attached to these minutes for the period of May 13, through May 27, 2021.

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

Vote all ayes  
Motion carried

**PAYMENT OF BILLS**

A motion was made by Mr. Humphrey, seconded by Ms. Dineen, 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 9:27 p.m.

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Nancy Burgess, RMC  
Municipal Deputy Clerk

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Janice Kovach, Mayor