

CLINTON TOWN COUNCIL
JANUARY 24, 2024 7:00 P.M.

FLAG SALUTE
ROLL CALL
STATEMENT OF ADEQUATE NOTICE

1. APPROVAL OF MINUTES: Regular Council meeting December 27, 2023,
January 2, 2024 Re-org and January 11, 2024 Special
2. APPROVAL OF MONTHLY REPORTS – DECEMBER
3. PUBLIC COMMENTS
4. MAYOR’S COMMENTS – Citizen Involvement – Will Miska, Historic Commission
5. SPECIAL EVENTS AND BANNER REQUESTS

Sunrise Rotary Flags for Heros – Banner	September 1- - September 15
Memorial Fishing Derby Banner	April 22 – May 4
Ducky Race Banner	July 1 -- July 14
Fishing Derby Event	May 4
Rubber Ducky Race Event	July 14
St. Patrick’s Day Parade Banner	February 26 – March 11
NJ Maker’s Day – Library Banner	March 11 – March 18
6. RESOLUTION #42-23 – PLAYGROUND COMMITTEE AMENDMENT
7. RESOLUTION #43-24 – DONATION OF SURPLUS PROPERTY VEHICLE
8. RESOLUTION #44-24 – CCYA BASKETBALL PROGRAM/SALARIES
9. RESOLUTION #45-24 – WATER RESERVATION – CLINTON HOUSE
10. PUBLIC HEARING – GREEN ACRES GRANT FOR HALSTEAD STREET PLAYGROUND
11. RESOLUTION #46-24 – AUTHORIZING EXECUTION AND SUBMISSION GREEN ACRES GRANT FOR CERTAIN IMPROVEMENTS AT HALSTEAD STREET PLAYGROUND
(amounts to be inserted before meeting)
12. RESOLUTION #47-24 – APPOINTMENT OF CORPORALS – BONILLA AND TILSTRA
13. RESOLUTION #48-24 – CANCELING OF APPROPRIATIONS
14. DISCUSSION – SALE OF DOGS AND CATS BY RETAIL PET STORES
15. CORRESPONDENCE
16. REPORTS OF COUNCIL
17. STANDBY AND OVERTIME
18. PAYMENT OF BILLS
19. RESOLUTION # 49-24 -EXECUTIVE SESSION
20. ADJOURNMENT

TOWN OF CLINTON
HUNTERDON COUNTY, NEW JERSEY

RESOLUTION # 42-24

**RESOLUTION AMENDING THE REQUIRMENTS OF THE PLAYGROUND
COMMITTEE AND APPOINTING MEMBERS**

WHEREAS, on September 14, 2022, via Resolution #132-22, the Town of Clinton formed a “Playground Committee” for purposes of for the replacement of the playground at Halstead Street Park; and

WHEREAS, the Playground Committee was tasked with interviewing potential vendors and create a design for the installation of a playground at Halstead Street Park

WHEREAS, since its creation, there has become a need to modify some of the requirements and members; and

WHEREAS, the Mayor and Council wish to amend the requirements of the Playground Committee.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Clinton, Hunterdon County, New Jersey, amend the requirements of the Playground Committee as follows:

1. A Playground Committee (the “Committee”) is hereby established as a temporary ad-hoc committee, consisting of seven members, three of which shall be members of the Town Council (the “Council”) and four of which shall be residents of the Town of Clinton.
2. The following individuals are appointed to the Playground Committee:
 - a. Kim Stentz, Councilmember
 - b. Nick Bruno, Councilmember
 - c. Molly Padmos, Councilmember
 - d. Nicole Ayers, member of the public
 - e. Jonathan Donath , member of the public
 - f. Phil Franzone, member of the public
 - g. Megan Johnson, resident and grants coordinator, appointed by consent of Council.
3. The Committee shall be empowered to:
 - a. Appoint its own Chairperson
 - b. All decisions of the Playground Committee must be made by a super-majority (i.e. five members for a seven person Committee and 4 members for a six person Committee)
 - c. Research potential vendors to design and install a playground from any authorized Cooperative Purchasing Program approved for use by the State of New Jersey .
 - d. Receive and interview references (i.e. other municipalities) from potential vendors
 - e. Determine, as a committee, which State approved Cooperative Purchasing Program vendors shall be interviewed for the playground design.
 - f. Any interviews of potential vendors or references (whether conducted in person or virtually) will be conducted upon written notice to the full Playground Committee and Town Council and in the presence of at least one of the Council members and 2 of the citizen members that are part of the Playground Committee.
 - g. Request and receive a preliminary design from potential vendors satisfying specific criteria (community build, inclusive, budget, etc) as defined by the committee. All such designs shall be provided to Council in the required monthly reports provided to

the Town Council. Any requests for designs or recommendations from vendors must be in writing.

- h. Recommend to Council a vendor to design and install the playground from any Cooperative Purchasing Program approved for use by the State of New Jersey
 - i. Research and recommend to the Council grant opportunities to fund the installation of a playground
 - j. After a vendor is selected by Council, meet with and coordinate with said vendor on a design (and engineering, if necessary) of the playground
 - k. Recommend to Council a playground design.
 - l. Recommend to Council a budget for the material and equipment for, and installation of a playground.
4. All recommendations from the Playground Committee as to the hiring of a vendor and playground design, must be approved by a majority of the three Council members that sit on the Playground Committee.
5. The hiring of a vendor to design, provide material and equipment for, and install (through direct installation, DPW build, community build, or some other defined process) the playground must be approved by the Mayor and Council.
6. The final design of the playground must be approved by the Mayor and Council.
7. All verbal and written communications between the Playground Committee and vendors and vendor references will be conducted by one of the Council members that are part of the Playground Committee or with the consent of one such Council member. None of the citizen members of the Playground Committee shall contact potential or hired vendors or their references in connection with the design, construction, and installation of the playground (whether verbally or in writing) without the consent of one of the Council members that is a member of the Playground Committee. All verbal communications (whether in person, virtually, or via telephone) must be conducted in the presence of one of the Council members that is part of the Playground Committee and will be documented by a memo or an email. All members of the Playground Committee shall be notified in writing at least seven days in advance of an in-person meeting with a potential or hired vendor or one of their references and be given the opportunity to attend such meeting.
8. All written communications of the Playground Committee shall be subject to the Open Public Records Act ("OPRA"). Therefore, it is imperative that a Council member be copied on all written communications with potential or hired vendors and their referenced. If any member of the Playground Committee has communicated in writing with a vendor or a reference for a vendor without copying a Council member on the correspondence, copies of all such correspondence must be immediately provided to the Town. Members of the Playground Committee shall cooperate with a request from the Town Administrator or Town Attorney for emails and other documents in response to OPRA requests. A Committee member's failure to provide any documents responsive to an OPRA request shall be grounds for immediate removal from the Committee.
9. If a Playground Committee member uses their personal cell phone for communications related to the Playground Committee (whether by telephone call or text message), such member is advised that their personal cell phone records may be subject to disclosure pursuant to an OPRA request. Therefore, it is recommended that contact with potential vendors and their references via personal cell phones be limited.
10. Any member of the Committee that does not follow the agreed-upon process for

communications with potential vendors and references will be removed immediately from the Committee.

11. The Playground Committee shall issue a monthly written report to Council presented by the Chairman or other Council member designated by the Chairman.
12. Citizen members of the Playground Committee shall be required to adhere to applicable sections of the Town of Clinton Personnel Policy, as may be amended from time to time. Within ten (10) days of appointment hereunder, citizen members shall be required to review and acknowledge, with their signature, receipt of such the Town of Clinton Personnel Policy and Town of Clinton Social Media Policies.
13. The Playground Committee may be dissolved at any time by a majority vote of the Council. Any member of the Playground Committee may be removed for any reason and replaced by a vote of the majority of the Town Council.
14. This Resolution shall take effect immediately.

RESOLUTION 43-24

RESOLUTION AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY TO SOUTH BRANCH EMERGENCY SERVICES

WHEREAS, N.J.S.A. 40A:11-36 governs the disposition of Town-owned surplus personal property that is no longer needed for public use; and

WHEREAS, the Town of Clinton has a damaged, surplus vehicle that is no longer needed for public use; and

WHEREAS, in the past, the Town has donated vehicles of this nature to the South Branch Emergency Services for training purposes; and

WHEREAS, pursuant to N.J.S.A. 40A:11-36 permits the Town to donate such property as requested; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Clinton, County of Hunterdon, State of New Jersey, have declared that the following surplus personal property of the Town be donated to South Branch Emergency Services for training purposes:

- 2013 Dodge Charger (VIN 2C3CD XAT0D H7069 57)

BE IT FURTHER RESOLVED that the Property will to donated in its “as is” condition, without any warranties by the Town, and on the condition that the Recipient shall hold the Town harmless for any claims arising out of the Property after the transfer to the Recipient.

BE IT FURTHER RESOLVED that the Mayor and Council hereby designate the Town’s Business Administrator, Richard Phelan, to execute any and all additional documents to effectively transfer title to the Recipient.

RESOLUTION #44-24

2024 SALARY RESOLUTION

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

That the following position titles and employees within the Town of Clinton in the County of Hunterdon, the respective salaries or compensation set forth below are hereby fixed as the maximum amounts to be paid for the year 2024:

<u>POSITION (Basketball Program)</u>	<u>SALARY</u>
Adult Referee Officials	\$55.00/Game
Junior Referee Officials	\$15.00/Game
Scorebook Keeper	\$12.00/Game
Clock Keeper	\$12.00/Game

The foregoing resolution shall take effect immediately upon passage and publication thereof according to law.

MAYOR JANICE KOVACH

Adopted: January 24, 2024

RESOLUTION # #45-24

**RESOLUTION APPROVING WATER CAPACITY RESERVATION
APPLICATION # L24-01**

WHEREAS, on March 24, 2015, the Mayor and Council of the Town of Clinton adopted Ordinance 15-1, which amended Chapter 142 of the General Ordinances of the Town of Clinton by creating procedures for applying for and receiving approval for water reservations; and

WHEREAS, the Town has received Water Reservation Application # L24-01, dated January 2, 2024, submitted in the name of Beta Land Management, LLC/The Clinton House, (Town of Clinton, Block 6, Lot 27, Tax Map Page 2); and

WHEREAS, on January 16, 2024, the Town's Water Consulting Engineer, Suburban Consulting Engineers, informed the Town of Clinton Water Committee of their recommendation of approval of the afore-mentioned application which proposes improvements to the existing property to include 180 additional seats to the existing restaurant; and

WHEREAS, on January 17, 2024, the Town's Water Committee held their monthly meeting in which they have reviewed the application; and

WHEREAS, as the Town's Water Committee is satisfied with the information outlined by Suburban Consulting Engineers, the application is deemed complete, to which they have granted a final approval and have imposed the conditions listed in Suburban Consulting Engineers January 16, 2024 letter.

NOW, THEREFORE BE IT RESOLVED, that in accordance with Chapter 142, Section 1, Sub-section J(3) of the Town's Ordinances, the Mayor and Council hereby approves Water Reservation Application # L24-01 in the amount of 3,600 GPD.

BE IT FURTHER RESOLVED, that certified copies of this resolution be provided to the Applicant, Suburban Consulting Engineers, and the Town of Clinton Superintendent of Water.

TOWN OF CLINTON
HUNTERDON COUNTY, NEW JERSEY
RESOLUTION # 46-24

**RESOLUTION AUTHORIZING EXECUTION AND SUBMISSION OF A GREEN ACRES GRANT
APPLICATION TO FUND CERTAIN IMPROVEMENTS TO THE HALSTEAD STREET
PLAYGROUND**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides grants and/or loans to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition, development, and stewardship of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Town of Clinton desires to further the public interest by obtaining funding in the amount of \$562,500.00, in the form of a \$187,500.00 matching grant from the State to fund the following project(s): The Halstead Street Playground Revitalization Project. \$750,000.00 (*total project cost*);

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations, and applicable statutes, and is willing to enter into an agreement with the State for the above-named project;

NOW, THEREFORE, the governing body/board resolves that:

1. Mayor Janice Kovach, or the successor to the office of Mayor, is hereby authorized to:
 - a. make application for such a loan and/or such a grant,
 - b. provide additional application information and furnish such documents as may be required, and
 - c. act as the authorized correspondent of the above-named applicant;
2. The applicant agrees to provide its matching share to the Green Acres funding request, if a match is required, in the amount of \$187,500.00;
3. In the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. This resolution shall take effect immediately.

CERTIFICATION

I, Cecilia Covino, do hereby certify that the foregoing is a true copy of a resolution adopted by Maor and Council of the Town of Clint at a meeting held on the 24th day of January, 2024.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 24th day of January 2024

Cecilia Covino, RMC/CMC
Clerk, Town of Clinton

RESOLUTION # 47-24

WHEREAS, the Town of Clinton Chief of Police, Cory Kubinak, has received approval from the Mayor and Council to promote two officers to the position of Corporal;

WHEREAS, Chief Kubinak has performed testing and interviewed candidates for the position of Corporal;

WHEREAS, Chief Kubinak and the police committee recommend that the following two officers be promoted to the position of Corporal, at the salary set by resolution;

ALBERTO BONILLA
PETER TILSTRA

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Clinton appoint Alberto Bonilla and Peter Tilstra to the position of Corporal, effective February 1, 2024.

Mayor Janice Kovach

Adopted: January 24, 2024

RESOLUTION #48-24

CANCELING OF APPROPRIATION

WHEREAS, the following 2023 Solid Waste Utility Budget appropriation balances remain unexpended;

Solid Waste Utility	
Other Expenses	\$31,000.00

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to the Fund Balance;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Clinton, that the above listed unexpended balances of the Solid Waste Utility 2023 Budget be canceled.

Mayor Janice Kovach

Adopted: January 24, 2024

Municipal Clerk