



**FEBRUARY 14, 2024 7:00 P.M.**

FLAG SALUTE

ROLL CALL

STATEMENT OF ADEQUATE NOTICE

1. APPROVAL OF MINUTES: Regular Council meeting January 24, 2024  
Executive Session, January 24, 2024
2. APPROVAL OF MONTHLY REPORTS – JANUARY
3. PUBLIC COMMENTS
4. MAYOR’S COMMENTS
5. SWEARING IN OF PATROLMAN MAX WENDLING
6. RESOLUTION #50-24 – CANCELLATION OF LIEN
7. RESOLUTION #51-24 – OPPOSITION TO A-4 AND S-4251 – COAH
8. RESOLUTION #52-24 – HIRING OF POLICE OFFICERS, WENDLING AND REINERTSEN
9. RESOLUTION # 53-24 – WATER RESERVATION – SOUTH RIDGE COMMUNITY CHURCH
10. RESOLUTION #54-24 - NEWSLETTER CONCESSION AGREEMENT
11. RESOLUTION #55-24 – AUTHORIZING LUB TO DRAFT REDEVELOPMENT PLAN IN CONSULTATION WITH THE TOWN PLANNER
12. SPECIAL EVENT – ST. PATRICK’S DAY PARADE MARCH 10, 2024
13. SPECIAL EVENT – CHERRY BLOSSOM FESTIVAL
14. BANNER REQUEST – ANNUAL LIBRARY BOOK SALE – April 8-22
15. CORRESPONDENCE
16. REPORTS OF COUNCIL
17. STANDBY AND OVERTIME
18. PAYMENT OF BILLS
19. EXECUTIVE SESSION
20. ADJOURNMENT

2/12/24

**TOWN OF CLINTON**

**RESOLUTION # 50-24**

**WHEREAS**, the Tax Collector of the Town of Clinton has been paid \$2,827.51, the amount necessary to redeem Tax Sale Certificate #22-00006 on Block 29, Lot 4.01, as assessed to Rebecca Beder, and purchased by Bala Partners, LLC.

**NOW THEREFORE BE IT RESOLVED**, on this 14th day of February, 2024 by the Mayor and Council of the Town of Clinton, County of Hunterdon, that the Chief Financial Officer be authorized to issue a check in the amount of \$2,827.51 for the lien redemption and a check in the amount of \$2,500.00 for the premium, Bala Partners, LLC, P.O. Box 303, Pottersville, NJ 07979, upon receipt of the Original Tax Sale Certificate endorsed for cancellation, and;

**BE IT FURTHER RESOLVED** that the Tax Collector be authorized to cancel Lien on Block 29, Lot 4.01, as assessed to Rebecca Beder, from the Town of Clinton Tax Records.

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Cecilia Covino, Municipal Clerk

**RESOLUTION #51-24**  
**TOWN OF CLINTON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY TO OPPOSE A-4 and S-4251**

**WHEREAS**, legislation is being considered by the State Legislature, A-4 and S-4251 (the “Legislation”), which will abolish the Council on Affordable Housing; reform the responsibilities of municipalities concerning the provision of affordable housing; and appropriate \$16 million for State costs relative thereto; and

**WHEREAS**, the Legislation would also establish a process whereby a municipality shall determine its own present and prospective fair share affordable housing obligation based on the formulas established in the Legislation and as calculated by three court-appointed obligation special masters, representing the northern, central, and southern areas of the State; and

**WHEREAS**, the Legislation requires that a municipality adopt its’ obligation by binding resolution no later than January 31, 2025 in order to be assured of protection from a builder’s remedy lawsuit through which a municipality may otherwise be compelled to permit development, when the fourth round begins; and

**WHEREAS**, if the municipality adopts a binding resolution, then the municipality’s determination of its obligation would be established by default, without any approval, as the municipality’s obligation for the fourth round; however this determination is not final, for a challenge of the determination may still be filed with the Affordable Housing Dispute Resolution Program (the “Program”), which would then be required to facilitate the same; and

**WHEREAS**, the Legislation would also require that municipalities further amend its’ housing element and fair share plan to comport with the municipality’s obligation for the fourth round; and

**WHEREAS**, the Legislation would appropriate \$12 million from the State’s General Fund to the Program and \$4 million to the Administrative Director of the Courts, but would result in an indeterminate financial impact to municipalities, which have already expended significant funds on compliance with the current and prior affordable housing legislation imposed by the State; and

**WHEREAS**, the Legislation would impose a significant administrative and financial burden on municipalities in order to re-establish a new framework for the calculation of affordable housing obligations; and

**WHEREAS**, the governing body of the Town of Clinton strongly believes that the Legislation will result in a substantial detriment to municipalities and an unnecessary burden on the Courts.

**NOW, THEREFORE, BE IT RESOLVED**, that the governing body of the Town of Clinton strongly oppose A-4 and S-4251 and urge the Legislature to vote no on the same; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to Senate President Nicholas P. Scutari, Assembly Speaker Craig Coughlin, Senator Douglas J. Steinhardt, Assemblyman John Dimaio, Assemblyman Erik C. Peterson, Governor Phil Murphy and New Jersey State League of Municipalities.

Town of Clinton

By: \_\_\_\_\_  
Janice Kovach, Mayor

Certified to be a true copy of a Resolution adopted this 14th day of February, 2024.

By: \_\_\_\_\_  
Cecilia Covino, RMC/CMC  
Municipal Clerk

**RESOLUTION #52-24**

**WHEREAS**, the Town of Clinton Police Department requires the hiring of two new officers,  
and;

**WHEREAS**, the positions were advertised for, applications accepted and interviews  
performed, and;

**WHEREAS**, the Police Chief and Police Committee recommend that the following  
individuals be hired to fill the open positions at the level of 10<sup>th</sup> Class Police Officer at the 2024  
rate of \$63,573.41;

MAX WENDLING  
TYLER REINERTSEN

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Town of Clinton  
hire Max Wendling and Tyler Reinertsen to fill the open positions at the Town of Clinton Police  
Department effective February 12, 2024 (Wendling) and February 26, 2024 (Reinertsen).

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Mayor Janice Kovach

Adopted: February 14 2024

**RESOLUTION # 53-24**

**RESOLUTION APPROVING WATER CAPACITY RESERVATION  
APPLICATION # L23-08**

**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 # L23-08, dated July 17, 2023, submitted in the name of South Ridge Community Church, (Franklin Township, Block 5, Lot 25, Tax Map Page 1); and

**WHEREAS**, on August 9, 2023, 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 to connect their existing facility that is current served by a private well to the public water system; and

**WHEREAS**, on August 16, 2023, 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 August 9, 2023 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 retroactively approve Water Reservation Application # L23-08 in the amount of 870 GPD, commencing on August 23, 2023 to which said approval will be valid for twelve (12) months, or until August 23, 2024.

**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.

## RESOLUTION # 54-24

### RESOLUTION GRANTING A CONCESSION FOR THE PRINTING AND MAILING OF THE TOWN NEWSLETTER

WHEREAS, currently the Town of Clinton (the "Town") creates a "Town Newsletter" that was previously made available to all our residents four (4) times a year; and

WHEREAS, currently the Town only provides an electronic copy of the newsletter via its website; and

WHEREAS, the Town's Communications Committee desires to have a hard copy of the newsletter delivered directly to all property owners in-Town;

WHEREAS, providing printed copies of the Town Newsletter is not feasible financially due to budget constraints; and

WHEREAS, in an effort to have a hard copy of the newsletter provided to all residents, the Communications Committee has explored alternative ways to provide this service at no cost to the Town; and

WHEREAS, the Communications Committee believes that the granting of a concession in accordance with the requirements of N.J.A.C. 5:34-9.4 will achieve this goal by granting the right to an authorized contractor to publish and distribute hard copies of the newsletter in exchange for the contractor retaining advertising revenue generated by the Town Newsletter as full or partial payment for providing the service; and

WHEREAS, N.J.A.C. 5:34-9.4 (d)1 states that in order for a concession to be granted by the Town, we must "Obtain from legal counsel an opinion of the legality of procuring the concession," to which said opinion has been provided and is attached to this resolution; and

WHEREAS, N.J.A.C. 5:34-9.4 (d)2 states that in order for a concession to be granted by the Town, the authorizing resolution must include the following information:

- I. A description of the public need to award a concession;
  - a. The Communications Committee has recommended that the Town Newsletter be distributed in hardcopies to all residents in order to better inform residents. By utilizing this service, the Town would forgo any costs associated with printing of the newsletters which would negate the need to impose this cost on the taxpayers.
- II. The concession to be awarded;
  - a. The right to publish a newsletter in order to provide residents information about the Town in which the contractor sells advertising as full or partial payment for providing the service.
- III. The considerations, including the benefits and any risks the governing body took into account in reaching the decision to award a concession;
  - a. By providing a copy of the Town newsletter to all property owners, the Mayor and Council have the ability to provide information to everyone, rather than just those that have internet/e-mail access. This is particularly important for seniors that do not have access to electronic mediums. The risks that the governing body has considered solely relate the content of advertising, as by pursuing this concession, the Town has given up all rights to promote/restrict the advertising content that is procured by the

contractor. Such risks can be mitigated through an agreement with the contractor. However, the Mayor and Council feel that the benefits of proceeding with this concession outweigh the risks noted.

- IV. An estimate of the total value of the concession;
  - a. In-lieu any payments from the Town to the contractor, the granting of this concession will allow the Concessionaire to retain one hundred percent (100%) of the revenue it receives from the sales of advertising in the newsletter during each Publication Year. According to the Concessionaire, the total annual revenue for the contractor is estimated to not exceed \$20,000 per year.
- V. If any, an estimate of any revenue or services to be received by the contracting unit;
  - a. No revenues will be received by the Town of Clinton.
- VI. The basis of award of the concession is based upon the most advantageous price and other factors or the lowest responsible bidder;
  - a. The Town received proposals from two (2) contractors for the provision of this service. Based on the review of said proposals, granting a concession to Community Business Network, Inc is the most advantageous, price and other factors considered.
- VII. An estimate of any costs to be incurred by the contracting unit as part of the concession; The Town will not incur any costs for the printing and mailing of the newsletters to all properties within the municipality.
- VIII. Any services, facilities, or endorsement to be provided by the contracting unit; The Town shall submit the newsletter contents to the contractor a minimum of six (6) weeks prior to the mailing date. The Town does not anticipate providing use of any public facilities to Community Business Network, Inc.
- IX. The method to be used to procure the concession pursuant to N.J.A.C. 5:34-9(g), which states, in part, "Unless otherwise specifically provided for by law, concessions shall be awarded through informal quotations, when the total estimated value of the concession is less than the bid threshold..."
  - a. The Town currently employs a Qualifies Purchasing Agent, therefore, the Town's quote threshold is \$6,600. Based on Concessionaire's estimate, their estimated revenue will not exceed \$20,000 per year. The Town solicited additional proposals from vendors in accordance with N.J.S.A. 40A:11-6.1a. The granting of this concession has been made based on the proposal that was most advantageous, price and other factors considered.

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

1. The Mayor and Council of the Town of Clinton hereby grant a concession to Community Business Network, Inc. in accordance with the terms and conditions of the Publication Agreement and Addendum, as well as any conditions set forth in this resolution.
2. The Mayor and Clerk are hereby authorized to enter into a Concession Agreement with Community Business Network, Inc in substantially the same form as attached hereto.
3. A copy of this resolution shall be forwarded to Community Business Network, Inc.
4. This resolution shall take effect immediately.



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Janice Kovach, Mayor

ATTEST:

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Cecilia Covino, RMC/CMC  
Town Clerk

DATED: February 14, 2024

TOWN OF CLINTON  
HUNTERDON COUNTY, NEW JERSEY

RESOLUTION # 55-24

**A RESOLUTION DETERMINING THAT A PORTION OF THE PROPERTY IDENTIFIED AS BLOCK 3, LOT 2 BE DESIGNATED AS A NON-CONDEMNATION REDEVELOPMENT AREA IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. , AND AUTHORIZING PREPARATION OF A REDEVELOPMENT PLAN**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (the “Redevelopment Law”), authorizes municipalities to determine whether certain parcels of land within their boundaries constitute areas in need of redevelopment; and

**WHEREAS**, the Legislature amended the Local Redevelopment and Housing Law on September 6, 2013 to expand and clarify various provisions of same; and

**WHEREAS**, on November 8, 2023 the Mayor and Council of the Town of Clinton (the “Council”) adopted Resolution #152-23 authorizing and directing the Town of Clinton Land Use Board (the “Board”) to conduct a preliminary investigation to determine whether a portion of certain property, identified as Block 3, Lot 2, (the “Study Area”), meets the criteria set forth in the Redevelopment Law and should be designated as a Non-Condemnation Redevelopment Area, as that term is defined by the Redevelopment Law; and

**WHEREAS**, the Board conducted a preliminary investigation of the Study Area to determine whether it should be designated as a Non-Condemnation Redevelopment Area in accordance with the criteria and procedures set forth in N.J.S.A., 40A:12A-5 and 40A:12A-6; and

**WHEREAS**, as part of the Board’s preliminary investigation, James T. Kyle, P.P., AICP, from Kyle McManus Associates, the Board's Consulting Planner (the “Planner”), prepared an Area In Need of Redevelopment Investigation Study (the “Area in Need Study”) for the Board for its consideration in determining whether the Study Area should be designated a Non-Condemnation Redevelopment Area; and

**WHEREAS**, the Area in Need Study included a map showing the boundaries of the proposed redevelopment area and locations of the parcels of property included therein, along with a statement setting forth the basis for its investigation in accordance with N.J.S.A. 40A:12A-6(b) (1); and

**WHEREAS**, the Board conducted a public hearing regarding the Area in Need Study on December 19, 2023, with notice having been properly given pursuant to N.J.S.A. 40A: 12A-6 (b) (3); and

**WHEREAS**, at the public hearing, the Board reviewed the Area in Need Study and associated documents and maps, and heard testimony from the Planner; and

**WHEREAS**, at the public hearing, members of the general public were given an opportunity to be heard and to address questions to the Board concerning the potential designation of the Study Area as a Non-Condemnation Redevelopment Area; and

**WHEREAS**, after completing its investigation and public hearing on this matter, the Board concluded that there was sufficient credible evidence to support findings that satisfy the criteria set

forth in the Redevelopment Law, particularly at N.J.S.A. 40A:12A-5 *et seq.*, for designating the Study Area as a Non-Condensation Redevelopment Area and that said designation is necessary for the effective redevelopment of the area comprising the Study Area; and

**WHEREAS**, in accordance with the Redevelopment Law and as memorialized by a resolution, dated December 19, 2023, the Board recommended to the Mayor and Council of the Town of Clinton that a portion of Block 3, Lot 2 (as identified in the Area in Need Study) be designated as a Non-Condensation Redevelopment Area; and

**WHEREAS**, the Mayor and Council considered the Board's recommendation at its regularly scheduled public meeting on February 14, 2024; and

**WHEREAS**, Mayor and Council accepted the recommendation of the Land Use Board to declare the Study Area as a Non-Condensation Redevelopment Plan; and

**WHEREAS**, the Mayor and Council wish to authorize the Board, in consultation with the Planner, to draft a Redevelopment Plan for the Study Area; and

**WHEREAS**, the Town entered into an escrow Agreement pursuant to Resolution No. 148-23 adopted on October 25, 2023 with the Owner of the Study Area, SNG Properties, LLC (the "Owner"), obligating the Owner to pay for all costs associated with such Redevelopment Plan; and

**WHEREAS**, nothing herein shall be construed as obligating the Mayor and Council to adopt a redevelopment plan applicable to the Property or enter into a Financial Agreement with the Owner conveying any tax abatements.

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

1. The Council accepts the recommendation from the Land Use Board of the Town of Clinton and finds that a portion of Block 3, Lot 2 as shown on the official tax map of the Town of Clinton and noted in the Areas in Need Study be and is hereby deemed to be a Non-Condensation Redevelopment Area pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.*
2. The designation of a portion of Block 3, Lot 2 as a Non-Condensation Redevelopment Area shall not authorize the Town to exercise the power of eminent domain to acquire any property in the Study Area.
3. The Council hereby reserves all other authority and powers granted to it under the Redevelopment Law.
4. The Clerk of the Town of Clinton shall transmit a copy of the within Resolution to the Commissioner of the Department of Community Affairs for review.
5. Within ten (10) days of the Council's adoption of the within Resolution, the Clerk of the Town of Clinton shall serve notice of the Council's determination and the within Resolution upon all record owners of property within the Non-Condensation Redevelopment Area, those whose names are listed on the tax assessor's records, and upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of the determination and Resolution may be sent and upon the Commission of the New Jersey Department of Community

6. The firm of Kyle McManus Associates, Town Planner, is authorized and directed to prepare a Redevelopment Plan for the Study Area, including an outline for the planning, development and redevelopment of the Study Area pursuant to N.J.S.A. 40A:12A-7 and present same to the Land Use Board and Council.
7. This Resolution shall take effect immediately.

*I hereby certify the foregoing to be a true copy of a Resolution adopted by the Town of Clinton Council at a meeting held on \_\_\_\_\_.*

\_\_\_\_\_  
Cecilia Covino, Clerk

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Janice Kovach, Mayor