

**CLINTON TOWN COUNCIL**

**JULY 27 2022**

**7:30 P.M.**

FLAG SALUTE

ROLL CALL

STATEMENT OF ADEQUATE NOTICE

1. APPROVAL OF MINUTES: Regular Council Meeting June 22, 2022 and July 13, 2022
2. APPROVAL OF MONTHLY REPORTS – JUNE
3. PUBLIC COMMENTS
4. MAYOR’S COMMENTS – Joseph Pietraszewski – Permanent Appointment CPD-  
Letter of Retirement – Barbara Hartsell, WWTP
5. PUBLIC HEARING – ORDINANCE #22-08 –  
ABANDONED & FORECLOSED PROPERTY REGISTRATION
6. PUBLIC HEARING – ORDINANCE #22-09 – VEHICLES & TRAFFIC AMENDMENTS
7. RESOLUTION #108-22 – NEW CLUB LICENSE – INSTITUTE FOR HUMAN EXCELLENCE
8. RESOLUTION #109-22 – CERTIFICATION OF ANNUAL AUDIT / GROUP AFFIDAVIT
9. RESOLUTION #110-22 – SUBMISSION OF NJDOT LOCAL AID GRANT
10. RESOLUTION #111-22 – CANCELLATION OF UNEXPENDED CAPITAL FUNDS
11. RESOLUTION #112-22 – CANCELLATION OF UNEXPENDED CAPITAL FUNDS
12. RESOLUTION #113-22 – AWARD OF CONTRACT – TENNIS / PICKELBALL COURTS
13. RESOLUTION #115 -22 – TAX EXTENSION DUE DATE
14. RESOLUTION #116-22 – CROSSING GUARD – LEO RODRIGUEZ
15. RESOLUTION #117-22 – CROSSING GUARD – JANET CHAMBERLAIN
16. RESOLUTION #118-22 – SALARY RESOLUTION – POLICE CHIEF
17. RESOLUTION #119-22 – FEE SCHEDULE FOR TOWING & STORAGE OF VEHICLES
18. CORRESPONDENCE
19. REPORTS OF COUNCIL
20. STANDBY AND OVERTIME
21. PAYMENT OF BILLS
22. EXECUTIVE SESSION – IF NECESSARY
23. ADJOURNMENT

**Town of Clinton  
Hunterdon County, New Jersey**

**ORDINANCE NO. 22-08**

**ADDING CHAPTER 28 OF THE CODE OF THE TOWN OF CLINTON ENTITLED  
“ABANDONED AND FORECLOSED REAL PROPERTY REGISTRATION”**

**WHEREAS**, the Mayor and Council of the Town of Clinton have determined that an addition of Chapter 28 to the Code of the Town of Clinton entitled “Abandoned and Foreclosed Real Property Registration” are necessary; and

**WHEREAS**, the present mortgage foreclosure crisis has serious negative implications for all communities trying to manage the consequences of property vacancies and abandoned real properties subject to foreclosure; and

**WHEREAS**, the Town of Clinton is challenged to identify and locate responsible parties of foreclosing parties who can maintain the properties that are in the foreclosure process or that have been foreclosed; and

**WHEREAS**, the Town of Clinton finds that the presence of vacant and abandoned properties can lead to a decline in property value, create attractive nuisances and lead to a general decrease in neighborhood and community aesthetic; and

**WHEREAS**, pursuant to N.J.S.A. 40:48-2, the governing body of a municipality is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Municipality by law; and

**WHEREAS**, pursuant to P.L. 2021, c. 444, the governing body of a municipality is authorized to adopt or amend ordinances creating a property registration program for the purpose of identifying and monitoring properties within the municipality for which a summons and compliant in an action to foreclosure on a mortgage has been filed, regulate the care, maintenance, security and upkeep of such properties, and impose a registration fee on the mortgagee of such properties; and

**WHEREAS**, the Town of Clinton has already adopted property maintenance codes to regulate building standards for the exterior of structures and the condition of the property as a whole; and

**WHEREAS**, the Town of Clinton has a vested interest in protecting neighborhoods against decay caused by vacant and abandoned properties and concludes that it is in the best interests of the health, safety, and welfare of its citizens and residents to impose registration and certification requirements on abandoned, vacant, and foreclosure properties located within the Town; and

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Town of Clinton, in the County of Hunterdon and State of New Jersey, and it is hereby enacted and ordained by the authority of same as follows:

**SECTION 1.** That the Mayor and Council of the Town of Clinton do hereby amend The Town of Clinton Code, by creating Chapter 28, entitled “Abandoned and Foreclosed Real Property Registration,” to read as follows:

**CHAPTER 28**

## ABANDONED AND FORECLOSED REAL PROPERTY REGISTRATION.

### §28-1. Purpose and Intent:

It is the purpose and intent of the Town of Clinton to establish a process to address the increasing amount of abandoned, foreclosed, and distressed real property located within the Town, and to identify, regulate, limit and reduce the number of abandoned and vacant properties located within the Town.

### § 28-2. Definitions:

The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning.

**VACANT AND ABANDONED REAL PROPERTY** – As defined in accordance with N.J.S.A. 40:48-2.12s3(b)(8), shall mean property that is not legally occupied by a mortgagor or tenant, which is in such condition that it cannot be legally reoccupied, because of the presence or finding of at least two of the following:

- (a) overgrown or neglected vegetation;
- (b) the accumulation of newspapers, circulars, flyers, or mail on the property;
- (c) disconnected gas, electric, or water utility services to the property;
- (d) the accumulation of hazardous, noxious, or unhealthy substances or materials on the property;
- (e) the accumulation of junk, litter, trash, or debris on the property;
- (f) the absence of window treatments such as blinds, curtains, or shutters;
- (g) the absence of furnishings and personal items;
- (h) statements of neighbors, delivery persons, or government employees indicating that the property is vacant and abandoned;
- (i) windows or entrances to the property that are boarded up or closed off, or multiple window panes that are damaged, broken, and unrepaired;
- (j) doors to the property that are smashed through, broken off, unhinged, or continuously unlocked;
- (k) a risk to the health, safety, or welfare of the public or any adjoining or adjacent property owners due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property;
- (l) an uncorrected violation of a municipal building, housing, or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;
- (m) the mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;
- (n) a written statement issued by a mortgagor expressing the clear intent of all mortgagors to abandon the property; or
- (o) any other reasonable indicia of abandonment.

**APPLICABLE CODES** - means to include, but not be limited to, the Town of Clinton's Zoning Code, the Town of Clinton's Code of Ordinances ("Town Code"), and the New Jersey Building Code.

**CREDITOR** – As defined in accordance with N.J.S.A. 40:48-2.12s2(d), means state-chartered bank, savings bank, savings and loan association or credit union, any person required to be licensed under the provisions of the "New Jersey Residential Mortgage Lending Act," sections 1 through 39 of P.L.2009, c.53 (N.J.S.A.17:11C-51 through 17:11C-89), and any entity acting on behalf of the

creditor named in the debt obligation including, but not limited to, servicers. For purposes of this section, a “creditor” shall not include the State, a political subdivision of the State, or a State, county, or local government entity, or their agent or assignee, such as the servicer.

**ENFORCEMENT OFFICER** - means any law enforcement officer, building official, zoning inspector, code enforcement officer, fire inspector or building inspector, or other person authorized by the Town of Clinton to enforce the applicable code(s).

**FORECLOSURE** – means the legal process by which a mortgagee terminates a mortgagor's interest in real property either to obtain legal and equitable title to the real property pledged as security for a debt or to force a sale of said property to satisfy a debt. For purposes of this article, this process begins upon the service of a summons and complaint on the mortgagor or any interested party. For purposes of this article, the process is not concluded until the property is sold to a bona fide purchaser not related to the mortgagee in an arm’s length transaction whether by Sheriff’s sale, private sale following a Sheriff’s sale, or private sale following the vesting of title in the mortgagee pursuant to a judgment.

**MORTGAGEE** - means the creditor, including but not limited to, lenders in a mortgage agreement; any agent, servant, or employee of the creditor; any successor in interest; or any assignee of the creditor's rights, interests, or obligations under the mortgage agreement, excluding governmental entities as assignee or owner.

**PROPERTY MANAGEMENT COMPANY** - means a local property manager, property Maintenance Company or similar entity responsible for the maintenance of abandoned real property.

**VACANT** - means any building or structure that is not legally occupied.

### **§ 28-3. Applicability:**

These sections shall be considered cumulative and not superseding or subject to any other law or provision for same, but rather be an additional remedy available to the Town of Clinton above and beyond any other state, county or local provisions for same.

### **§ 28-4. Establishment of a Registry.**

Pursuant to the provisions of Section 28-5, the Town of Clinton or its designee shall establish a vacant and abandoned property registry containing the information required by this Chapter.

### **§ 28-5. Registration of Property.**

- a) Any creditor who holds a mortgage or equity lien on real property located within the Town of Clinton shall perform an inspection of the property to determine vacancy or occupancy, upon the commencement of foreclosure as evidenced by a foreclosure filing. The creditor shall, within ten (10) days of the inspection, register the property with the Code Enforcement Official, or its designee, on forms or website access provided by the Town of Clinton, and indicate whether the property is vacant or occupied. A separate registration is required for each property, whether it is found to be vacant or occupied.
- b) If the property is occupied but remains in foreclosure, it shall be inspected by the creditor or his designee monthly until (1) the mortgagor or other party remedies the foreclosure, or (2) it is found to be vacant or shows evidence of vacancy at which time it is deemed abandoned, and the mortgagee shall, within ten (10) days of that inspection, update the property registration to a vacancy status on forms provided by the Town of Clinton.

- c) Registration pursuant to this Section shall contain the name of the creditor and the servicing entity, if any, the direct mailing address of the mortgagee and the servicing entity, a direct contact name and telephone number for both parties, facsimile number and e-mail address for both parties, the folio or tax number, and the name and twenty-four (24) hour contact telephone number of the property management company responsible for the security and maintenance of the property.
- d) A non-refundable annual registration fee in the amount of \$500.00 per property, shall accompany the registration form or website registration. On each anniversary date of the initial registration, the creditor shall submit a renewal registration and fee in the sum of \$500.00 in accordance with this Section 28-5.
- e) If the property is not registered, or the registration fee is not paid within thirty (30) days of when the registration or renewal is required pursuant to this section, a late fee equivalent to ten percent (10%) of the annual registration fee shall be charged for every thirty-day period (30), or portion thereof, that the property is not registered and shall be due and payable with the registration.
- f) All registration fees must be paid directly from the creditor, Mortgagee, Servicer, or Trustee. Third Party Registration fees are not allowed without the consent of the Municipality and/or its authorized designee.
- g) This section shall also apply to properties that have been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale.
- h) Properties subject to this section shall remain under the annual registration requirement, and the inspection, security and maintenance standards of this section as long as they remain in foreclosure.
- i) Any person or legal entity that has registered a property under this section must report any change of information contained in the registration within ten (10) days of the change.
- j) Failure of the creditor to properly register or to modify the registration form from time to time to reflect a change of circumstances as required by this Chapter is a violation of the Chapter and shall be subject to enforcement.
- k) Pursuant to any administrative or judicial finding and determination that any property is in violation of this Chapter, the Town of Clinton may take the necessary action to ensure compliance with and place a lien on the property for the cost of the work performed to benefit the property and bring it into compliance.
- l) Registration of foreclosure property does not alleviate the creditor from obtaining all required licenses, permits and inspections required by applicable code or State Statutes.
- m) If the mortgage and/or servicing on a property is sold or transferred, the new creditor is subject to all the terms of this Chapter. Within ten (10) days of the transfer, the new creditor shall register the property or update the existing registration. The previous Mortgagee(s) will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during that creditor's involvement with the Registrable Property.
- n) If the creditor sells or transfers the Registrable Property in a non-arm's length transaction to a related entity or person, the transferee is subject to all the terms of this Chapter. Within ten

(10) days of the transfer, the transferee shall register the property or update the existing registration. Any and all previous unpaid fees, fines, and penalties, regardless of who the Mortgagee was at the time registration was required, including but not limited to unregistered periods during the Foreclosure process, are the responsibility of the transferee and are due and payable with the updated registration. The previous creditor will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during that creditor's involvement with the Registrable Property.

**§ 28-6. Maintenance Requirements:**

a) Properties subject to this chapter shall be kept free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspapers, circulars, flyers, notices, except those required by federal, state or local law discarded personal items including, but not limited to, furniture, clothing, large and small appliances, printed material or any other items that give the appearance that the property is abandoned.

b) Properties subject to this chapter shall be maintained free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure.

c) Front, side, and rear yards, including landscaping, shall be maintained in accordance with the applicable code(s) at the time registration was required.

d) Yard maintenance shall include, but not be limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or bark or artificial turf/sod designed specifically for residential installation. Acceptable maintenance of yards and/or landscape shall not include weeds, gravel, broken concrete, asphalt or similar material.

e) Maintenance shall include, but not be limited to, watering, irrigation, cutting and mowing of required ground cover or landscape and removal of all trimmings.

f) Pools and spas shall be maintained so the water remains free and clear of pollutants and debris and shall comply with the regulations set forth in the applicable code(s).

g) Failure of the mortgagee and/or owner to properly maintain the property may result in a violation of the applicable Code(s) and issuance of a citation or Notice of Violation in accordance with this Chapter, Chapter 45 ("Brush, Grass, and Weeds"), Chapter 107B ("Property Maintenance"), Chapter 115 ("Snow and Ice Removal"), and Chapter 122 ("Streets and Sidewalks") of the Town of Clinton's Code. Pursuant to a finding and determination by the Town's Code Enforcement Officer or a Court of competent jurisdiction, the Town of Clinton may take the necessary action to ensure compliance with this section. .

h) In addition to the above, the property is required to be maintained in accordance with the applicable Code(s).

**§ 28-7. Security Requirements:**

a) Properties subject to these Sections shall be maintained in a secure manner so as not to be accessible to unauthorized persons.

b) A “secure manner” shall include, but not be limited to, the closure and locking of windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure. Broken windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure must be repaired. Broken windows shall be secured by reglazing of the window.

c) If a mortgage on a property is in default, and the property has become vacant or abandoned, a property manager shall be designated by the mortgagee to perform the work necessary to bring the property into compliance with the applicable code(s), and the property manager must perform regular inspections to verify compliance with the requirements of this Chapter, and any other applicable laws.

#### **§ 28-8. Public Nuisance:**

All vacant and abandoned real property is hereby declared to be a public nuisance, the abatement of which pursuant to the police power is hereby declared to be necessary for the health, welfare and safety of the residents of the Town of Clinton.

#### **§ 28-9. Violations and Penalties:**

Any person who shall violate the provisions of this Chapter shall be cited and fined by one or more of the following: a fine not less than \$500.00 or exceeding \$1,250.00.

Any person who is convicted of violating this Chapter within one year of the date of a previous violation of the same Section, and who was fined for the previous violation, shall be sentenced by a Court to an additional fine as a repeat offender. The additional fine imposed by the Court upon a person for a repeated offense shall not be less than the minimum or exceed the maximum fine fixed for a violation of this Chapter, but shall be calculated separately from the fine imposed for the violation of this Chapter.

#### **§ 28-10. Inspections for Violations:**

Adherence to this Chapter does not relieve any person, legal entity or agent from any other obligations set forth in any applicable Code(s), which may apply to the property. Upon sale or transfer of title to the property, the owner shall be responsible for all violations of the applicable Code(s).

#### **§ 28-11. Additional Authority:**

a) If the Enforcement Officer has reason to believe that a property subject to the provisions of this Chapter is posing a serious threat to the public health safety and welfare, the Code Enforcement Officer may temporarily secure the property at the expense of the mortgagee and/or owner, and may bring the violations before a Court of competent jurisdiction as soon as possible to address the conditions of the property.

b) The Code Enforcement Officer shall have the authority to require the mortgagee and/or owner of record of any property affected by this section, to implement additional maintenance and/or security measure including, but not limited to, securing any and all doors, windows or other openings, employment of an on-site security guard or other measures as may be reasonably required to help prevent further decline of the property.

c) If there is a finding that the condition of the property is posing a serious threat to the public health, safety and welfare, then the Code Enforcement Officer may direct the Municipality to abate the violations and charge the mortgagee with the cost of the abatement.

d) If the mortgagee does not reimburse the Town of Clinton for the cost of temporarily securing the property, or of any abatement directed by the code enforcement board or special magistrate, within thirty (30) days of the Town sending the mortgagee the invoice, then the Town of Clinton may lien the property with such cost, along with an administrative fee of \$500.00 to recover the administrative personnel services.

**§ 28-12. Opposing, Obstructing Enforcement Officer; Penalty:**

Whoever opposes, obstructs or resists any enforcement officer or any person authorized by the Code Enforcement Office in the discharge of duties as provided in this chapter shall be punishable as provided in the applicable Code(s) or a Court of competent jurisdiction.

**§ 28-13. Immunity of Enforcement Officer:**

Any enforcement officer or any person authorized by the Town of Clinton to enforce the Sections here within shall be immune from prosecution, civil or criminal, for reasonable, good faith entry upon real property while in the discharge of duties imposed by this Chapter.

**SECTION 2. Severability.** Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

**SECTION 3. Repealer.** All prior Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

**SECTION 4. When Effective.** This Ordinance shall take effect immediately upon final passage and publication in accordance with law.



**TOWN OF CLINTON**  
**HUNTERDON COUNTY, NEW JERSEY**  
**ORDINANCE #22-09**

**ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 135, ENTITLED  
VEHICLES AND TRAFFIC, OF THE REVISED GENERAL ORDINANCES OF THE  
TOWN OF CLINTON**

WHEREAS, the Town of Clinton is desirous to amend several sections of Chapter 135, entitled Vehicles and Traffic to regulate the manner in which large vehicle and trailers may be parked in all zones and adjacent to residential uses;

WHEREAS, the Chief of Police has recommended to the Mayor and Council that the Code of the Town of Clinton be amended accordingly.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Clinton, the County of Hunterdon, that the Code of the Town of Clinton (“Code”) is hereby amended to create a new section entitled § 135-8, “Restrictions on Parking Commercial Vehicles Overnight” as follows:

**SECTION 1**

**A. No Overnight Parking of Commercial Vehicles in Residential Areas.** Notwithstanding of any regulations codified in Chapter 88 of the Code of the Town of Clinton or any exceptions listed in § 135-8C, no person shall park any commercial vehicles (as defined in Section 135B below), trailers, or equipment on either side of any public road in front of any residential use or directly across the street from any residential use, between the hours of 7:00 PM and 7:00 AM. At the discretion of the Chief of Police, short-term, temporary exceptions to these parking time limits may be granted.

No commercial vehicles (as defined below in Section 135B) of any kind shall be parked on any street, lot, avenue, highway or portion thereof that is located adjacent to a residential use in any zone, as well as on both sides of the street in front of any residential use or directly across the street from any residential use, that contains any form of advertising or display beyond the requirement of N.J.S.A. 39:4-46 not permanently affixed by paint, stencil, or comparable process onto the body of the vehicle.

**B. Definition of “Commercial Vehicle.”** For the purposes of this section, “commercial vehicle” shall mean a car, truck, bus, van, trailer, equipment, and/or vehicle that is intended for and primarily used for commercial purposes, whether or not said vehicle is registered as a commercial vehicle with any State Division of Motor Vehicles. For the purposes of this section, all trucks, vans, buses, trailers, equipment, or other vehicles containing advertising matter intending to promote the interest of any business shall be considered “commercial”.

**C. Permitted Overnight Parking of Certain “Commercial Vehicles.”** The following commercially registered vehicles are permitted to park overnight on a residential property or in

a residential zone subject to the following conditions:

1. Vehicles with a gross vehicle weight rating of 10,000 pounds or less and excluding trucks commonly identified as "box" and "walk-in" trucks of any gross vehicle weight.
  - a. Examples of permitted vehicles include, but are not limited to, minivans, full-size and heavy-duty pickups, utility vans, multipurpose vehicles.
  - b. These types of vehicles must be owned or used by a resident of the premises and used as the customary means of transportation to and from work.
  - c. The resident must demonstrate that the vehicle cannot be parked in a garage or other permanent enclosed structure on site.
2. Heavy-duty pickup trucks and van conversions with a gross vehicle weight rating of 14,000 pounds or less are permitted, provided that such vehicles are to be used as utility vehicles (used for trade purposes), and further provided that such vehicles have either an open or enclosed bed with neither racks nor stakes.
3. The vehicle shall not obstruct any pedestrian or vehicular traffic and be no closer than five feet from a side or rear property line. To the extent feasible, the vehicle shall be screened by a combination of fencing and/or landscaping to provide year-round screening. Wherever possible, the vehicle shall be parked in a side or rear yard.
4. The vehicle shall not be parked on a grassed area, lawn area, or an otherwise landscaped area.
5. The outside storage of any materials or equipment associated with the commercial vehicle is prohibited.

**D. Parking Restrictions for Commercial Vehicles in All Zones.** The following types of commercial vehicles are prohibited from being parked on any street in any zone between the hours of 7:00 PM and 7:00 AM except when engaged in providing emergency repair services or actively engaged in moving the residents of the premises.

- a. All commercial vehicles (as defined above in Section 135B) with a gross vehicle weight of more than 10,000 pounds including but not limited to, large walk-in trucks, box trucks, dump trucks, rack and stake body trucks, grain body trucks, tractors and tractor-trailers;
- b. Buses or vans registered for more than 11 passengers, with the exception of school buses registered for 16 or fewer passengers that comply with applicable USDOT Federal Motor Vehicle Safety Standards, provided that same are parked on a lot and not on the street;

**E. Enforcement officers and procedure**

The Town of Clinton Police Department and its Police Officers may act individually or in

conjunction with any other Municipal, County or State enforcement agencies in accordance with local, County or State ordinances, statutes, and/or regulations as applicable.

**F. Violation and penalties**

Unless another penalty is expressly provided by New Jersey statute, every person convicted of a violation of a provision of this chapter, including attached schedules, or any supplements thereto, amendments thereto or revisions thereto shall be liable to a penalty of not less than \$100 and more than \$500 or imprisonment for a term not exceeding 90 days, or both.

**SECTION 2.** Section § 135-25 of the Code of the Town of Clinton entitled “Schedule III: No Stopping or Standing”, is amended as follows:

In accordance with the provisions of § 135-5 and § 135-8, no person shall stop or stand a commercial vehicle between the hours specified upon any of the following-described streets or parts of streets:

<b>Name of Street</b>	<b>Side</b>	<b>Time Limits</b>	<b>Location</b>
Any street in front of any residential use or directly across the street from any residential use.  *Excluding exceptions noted in § 135-8C	Either side of any public road in front of any residential use or directly across the street from any residential use	Between 7PM and 7AM	Within the municipal boundaries of the Town of Clinton

**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.** This Ordinance shall take effect upon final passage and publication according to law.

RESOLUTION # 108-22  
ISSUANCE OF A NEW CLUB LICENSE  
INSTITUTE FOR HUMAN EXCELLENCE OF NEW JERSEY, INC.

WHEREAS, the Town of Clinton amended the Town Code to allow for two (2) Club Licenses in the Town's Downtown Commercial C-1 Zone District; and

WHEREAS a Club License may only be issued to organizations, corporations or associations with specific qualifications, a bona fide club with sixty (60) members or more; and

WHEREAS they must operate solely for benevolent, charitable, fraternal, social, religious, recreational, athletic or similar purposes and not for private gain and holds non profit status; and

WHEREAS the organization must have been in active operation for at least three (3) consecutive years immediately prior to time of submission for a license and must be in possession and use of a clubhouse for at least three (3) continuous years prior to submission; and

WHEREAS the Chief of Police has reviewed all pertinent information and the background checks of members in charge have been completed and all is in order; and

WHEREAS the appropriate fees have been paid to the State of New Jersey Division of Alcohol Beverage Control and the Town of Clinton,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Clinton, Institute for Human Excellence of New Jersey, Inc. located at 56 Main Street, Clinton, NJ 08809, be granted a Club License that must be renewed on an annual basis, license runs July 1 through June 30 of each year.

July 27, 2022

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Janice Kovach, Mayor

**TOWN OF CLINTON  
RESOLUTION # 109-22  
CERTIFICATION OF ANNUAL AUDIT**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

**WHEREAS**, the Annual Report of Audit for the year 2021 as been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body, and

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

**WHEREAS**, the Local Finance Board has promulgated N.J.S.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations" and

**WHEREAS**, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations as evidenced by the group affidavit form of the governing body attached hereto; and,

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

**WHEREAS**, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27 BB-54 to wit:

R.S.52:27 BB-52 – "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the (Director of Local Government Services), under provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

**NOW, THEREFORE, BE IT RESOLVED**, That the Governing Body of the Town of Clinton, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE  
COPY OF THE RESOLUTION PASSED AT  
THE MEETING HELD ON JULY 27, 2022.

\_\_\_\_\_  
Cecilia Covino, RMC/CMC  
Town Clerk

**Town of Clinton  
Resolution # 110-22**

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT  
CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR  
THE HAVER FARM ROAD IMPROVEMENTS PROJECT.**

WHEREAS, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as 2023-MA-00167 New Street Resurfacing Project to the New Jersey Department of Transportation on behalf of the Town of Clinton; and

WHEREAS, the Mayor and Council of the Town of Clinton hereby approve the grant application for the above stated project.

BE IT RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Town of Clinton and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council  
On this 27th day of July, 2022

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

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

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

\_\_\_\_\_  
Janice Kovach, Mayor

**RESOLUTION #111-22**

WHEREAS, certain Capital appropriation balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be removed from the Town's books;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Clinton, that the following unexpended balances be cancelled:

**General Capital**

<b><u>Ord. No.</u></b>	<b><u>Date Auth.</u></b>	<b><u>Purpose</u></b>	<b><u>Amt.-Funded</u></b>
2012-08	6/26/12	Various Improvements	\$ 1,417.35
2013-05	4/3/13	Various Improvements	\$ 174.15
2018-01	2/27/18	Purchase of Property	\$ 38,218.96

**Water Utility Capital**

2012-07	6/12/12	Water Utility Improvements	\$122,221.76
2013-04	4/3/13	Water Utility Improvements	\$519,426.68
2013-08	5/22/13	Halstead Street Water Mains	\$132,174.83
2013-17	8/21/13	Water Utility Improvements	\$ 16,025.00
2014-11	7/2/14	Water Utility Improvements	\$ 8,661.80
2015-03	3/24/15	Well#7 Improvement and Well #4 Decommissioning	\$ 67,530.23
2015-05	3/24/15	Water Utility Improvements	\$ 6,746.61
2016-07	7/12/16	Water Utility Improvements	\$ 11,085.95
2016-08	7/12/16	Water Utility Improvements	\$ 98,774.00

**Sewer Utility Capital**

2011-10	5/24/11	Sewer Utility Improvements	\$ 7,706.44
2012-06	6/12/12	Sewer Utility Improvements	\$ 34,570.71
2014-10	6/4/14	Sewer Utility Improvements	\$ 20,389.25
2015-10	5/12/15	Sewer Utility Improvements	\$ 2,252.31

**Sewer Utility Capital**

<b><u>Ord. No.</u></b>	<b><u>Date Auth.</u></b>	<b><u>Purpose</u></b>	<b><u>Amt.-Funded</u></b>
2016-06	7/12/16	Sewer Utility Improvements	\$ 46,772.54
2016-11	10/11/16	Purchase Pickup Truck	\$ 4,198.89
2017-07	10/23/17	Sewer Utility Improvements	\$ 158.78

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Mayor Janice Kovach

Adopted: 7/27/2022



**RESOLUTION #112-22**

WHEREAS, certain Capital appropriation balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be removed from the Town's books;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Clinton, that the following unexpended balances be cancelled:

**General Capital**

<b><u>Ord. No.</u></b>	<b><u>Date Auth.</u></b>	<b><u>Purpose</u></b>	<b><u>Amt.-Unfunded</u></b>
2014-08	6/24/08	Various Improvements	\$ 4,094.15
2014-18	10/14/14	Halstead St. Improvements	\$ 41,657.90
2015-11	6/9/15	Various Improvements	\$ 24,282.67
2016-10	10/27/16	W. Main St. Pedestrian Project	\$ 4,550.16
2019-01	3/26/19	Amending Ord. 2016-10	\$ 17,955.96
2018-01	2/27/18	Amending Ord. 2017-09	
		Purchase of Property	\$ 250,000.00

**Water Utility Capital**

2013-08	5/22/13	Halstead St. Water Main Proj.	\$ 3,213.91
2015-03	3/24/15	Well #7 Improvements and Well #4 Decommissioning	\$ 106,760.00
2015-04	3/24/15	Improvements to Well #4	\$ 276,978.11
2017-12	12/12/17	Glen Eagles, Muirfield Lane And Heatherhill	\$ 625,290.62

**Sewer Utility Capital**

2019-13	10/22/19	Sewer Utility Improvements	\$ 1,344.21
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\_\_\_\_\_  
Mayor Janice Kovach

Adopted: 7/27/22

**TOWN OF CLINTON  
COUNTY OF HUNTERDON, NJ  
RESOLUTION # 113-22**

**RESOLUTION TO AWARD CONTRACT FOR CLINTON COMMUNITY CENTER  
TENNIS COURT IMPROVEMENTS**

**WHEREAS**, the Town of Clinton (“Town”) received and opened bids for the Clinton Community Center Tennis Court Improvements on June 30, 2022 pursuant to the authority of N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the following bids were received;

**Clinton Community Center Tennis Court Improvements**

Shore Top Construction Corp.	-\$137,450.00
Halecon, Inc.	-\$149,510.00

**WHEREAS**, after review by the Engineer, Purchasing Agent and the Town Attorney, Shore Top Construction Corp. has been determined to be the lowest responsible bidder; and

**WHEREAS**, a certificate of available funding has been presented;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Clinton, County of Hunterdon, State of New Jersey, that a contract is hereby awarded to Shore Top Construction Corp., in the amount of \$137,450.00 for the Clinton Community Center Tennis Court Improvements, and that the Mayor and Town Clerk of the Town of Clinton are hereby authorized, respectively, to execute and attest to an agreement with Shore Top Construction Corp., pursuant to bid specifications.

**TAKE NOTICE**, that the foregoing Resolution was adopted by the Mayor and Council of the Town of Clinton, County of Hunterdon, at a regular meeting held on July 27, 2022.

\_\_\_\_\_  
Mayor Janice Kovach

TOWN OF CLINTON  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY

RESOLUTION # 115-22

A RESOLUTION AUTHORIZING AN EXTENSION OF THE 3<sup>RD</sup> QUARTER TAX REMITTANCE GRACE PERIOD FOR THE AUGUST 1, 2022 TAX BILL TO THE DATE OF AUGUST 30, 2022

WHEREAS, the printing and mailing of the 2022 property tax bills was setback due to the delay in the certification of the annual tax rate by the Department of Community Affairs and the Hunterdon County Tax Board;

WHEREAS, the 2022 tax bills will be printed and mailed to the property owners of the Town of Clinton prior to 8/4/2022; and

WHEREAS, NJSA 54:4-66.3(d) provides that the current years taxes shall not be subject to interest until the twenty-fifth day after the tax bill for the third installment is mailed and NJSA 54:4-64 further provides that the property taxpayers shall be given adequate notice of the date when taxes are due before interest is charged on delinquent tax payments.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Town of Clinton, County of Hunterdon, State of New Jersey that in accordance with State Law, the grace period for the August 2022 property tax bill is extended to August 30, 2022, after which time said payments will be delinquent and subject to interest penalties calculated from August 1, 2022, and

BE IT FURTHER RESOLVED that interest will be charged on all tax payments received after August 30, 2022.

ATTEST:

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Cecilia Covino, RMC/CMC  
Municipal Clerk

CERTIFICATION

I, Cecilia Covino, Clerk of the Town of Clinton, County of Hunterdon, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Mayor and Council at a meeting held July 27, 2022.

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Cecilia Covino, RMC/CMC  
Municipal Clerk

**RESOLUTION # 116-22**

**WHEREAS**, the Town of Clinton Police Department requires the hiring of one new Crossing Guard, and;

**WHEREAS**, the position was advertised for, applications accepted and interviews performed, and;

**WHEREAS**, the Chief of Police recommends that the following person be hired to fill the open position at a rate of \$19.90 per hour;

Leo Rodrigues

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Town of Clinton hire Leo Rodrigues to fill the open position of Crossing Guard effective July 27, 2022.

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Mayor Janice Kovach

Adopted: July 27, 2022

**RESOLUTION # 117-22**

**WHEREAS**, the Town of Clinton Police Department requires the hiring of one new Crossing Guard, and;

**WHEREAS**, the position was advertised for, applications accepted and interviews performed, and;

**WHEREAS**, the Chief of Police recommends that the following person be hired to fill the open position at a rate of \$19.90 per hour;

Janet Chamberlain

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Town of Clinton hire Janet Chamberlain to fill the open position of Crossing Guard effective July 27, 2022.

\_\_\_\_\_  
Mayor Janice Kovach

Adopted: July 27, 2022

**RESOLUTION #118-22**

**2022 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 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 2022:

**POSITION**

**SALARY**

Chief of Police

\$158,448.30\*

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

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MAYOR JANICE KOVACH

Passed and Approved:

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Town Clerk

\*Salary includes shared services agreements.

TOWN OF CLINTON  
HUNTERDON COUNTY, NEW JERSEY

**RESOLUTION # 119-22**

**RESOLUTION ADOPTING FEE SCHEDULES FOR TOWING  
AND STORAGE OF MOTOR VEHICLES**

**WHEREAS**, Chapter 129 of the Code of the Town of Clinton provides for the establishment of a fee schedule for towing and storage of motor vehicles by resolution based on recommendations received by the Mayor and Council from the Chief of Police; and

**WHEREAS**, Chief Kubinak has provided recommendations on the appropriate fees to be charged for towing and storage of motor vehicles within the Town of Clinton through 2023; and

**WHEREAS**, the Mayor and Council have reviewed and accept those recommendations;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Town of Clinton, Hunterdon County, New Jersey, that towing and vehicle storage rate schedule be amended as follows (deletions noted in strikethrough ~~thus~~, and additions noted in bold italic *thus*) and such changes be adopted:

# TOWN OF CLINTON TOWING RATE & STORAGE SCHEDULE

## Rates and Fee Schedule

1. **Light-duty day Rate (8:00 a.m.—5:00 p.m., anytime)**  
*For vehicles with a gross vehicle weight (“GVW”) under 10,001 lbs, \$125.00 ~~\$90.00~~ per towing vehicle dispatched, plus fees for any additional service performed and \$5.00 per mile after the first 6 miles from the scene to operator’s garage. which includes towing up to six miles plus any fees for additional services performed.*  
~~\_\_\_\_\_~~  
~~\_\_\_\_\_ (mileage fee for over 6 miles from scene to operator’s garage) \$4.00 per mile.~~
2. **Light duty night rate (5:00 p.m.—8:00 a.m.)**  
~~\_\_\_\_\_ \$125.00 per towing vehicle dispatched, which includes towing up to six miles from scene. The night rate shall also apply to all tows on Sundays and legal holidays in the State of New Jersey.~~  
  
~~(mileage fee for over 6 miles from scene to operator’s garage) \$4.50 per mile.~~
2. **Road Service, Gas, Tire Change, Lockout, Battery Jump (Anytime):**  
~~\_\_\_\_\_ \$75.00 (8:00 a.m.—5:00 p.m.)~~  
~~\_\_\_\_\_ \$90.00 (5:00 p.m.—8:00 a.m.) The night rate shall also apply to all tows on Sundays and legal holidays in the State of New Jersey.~~  
~~\$125 (plus cost of any material used, including but not limited to gasoline).~~
3. **Medium Towing** – For motor vehicles with a ~~gross weight~~ **GVW** between 10,001 pounds to 26,000 pounds:  
~~\$215.00 per towing vehicle dispatched~~ **\$250.00 per hour with a minimum of one hour per towing vehicle dispatched** regardless of the time of day, plus ~~\$6.00~~ **\$6.50** per mile from scene, after the first 6 miles.
4. **Heavy Duty Towing with ~~Conventional Wrecker~~ (any type)** – For motor vehicles with a ~~gross weight~~ **GVW** over 26,000 pounds ~~which can be moved with a conventional wrecker:~~  
~~\$300.00~~ **\$425.00** per hour with a minimum of one hour per towing vehicle dispatched regardless of the time of day, plus ~~\$6.00~~ **\$6.50** per mile from scene, after the first 6 miles.
5. **For all Specialized Recovery Incidents requiring specialized Equipment (aside from what’ is listed above) for towing, storage or equipment, refer to Garden State Towing Association’s Rate chart found at [www.gsta.org](http://www.gsta.org), which are the rates established by the New Jersey State Police for tow operators on State highways,**
5. ~~\_\_\_\_\_ Heavy Duty Towing with Under Reach Towing~~ For a motor vehicle with a gross weight over 26,000 pounds where under reach towing is required:  
~~\_\_\_\_\_ \$325.00 per hour with a minimum of one hour per towing vehicle dispatched regardless of the time of day, plus (\$6.00 per mile from scene, after the first 6 miles)~~
6. ~~\_\_\_\_\_ Vehicles that are locked and in park or in gear~~ Additional services fee: \$35.00
7. ~~\_\_\_\_\_ These rates do not apply to recovery which includes impales, over turned, or off road.~~
6. **Additional Work**



Hourly rate, charged in quarterly increments (first 15 minutes is not billable) clean-ups, winch work, dolly work – \$75.00 per hour.

7. Storage Fees

Storage Fees become effective after the first 11 hours of a vehicle tow.

Vehicles **with a GVW of** less than 10,001 pounds - \$45.00 per day

All other vehicles with **a GVW** ~~gross weight~~ over 10,001 pounds – \$90.00 per day or part thereof.

**Indoor storage - \$90 per day.**

~~Vehicles will be released during normal business hours:~~

~~Monday – Friday (8:00 a.m. – 5:00 p.m.)~~

~~Saturday (8:00 a.m. – 12:00 p.m.)~~

~~After hours vehicle release fee – \$75.00 per vehicle~~

All towing charges noted above are from **the** initial **scene** / incident to **the** towing garage. Any towing to alternate sites **shall** ~~will~~ be negotiated between **the** tow operator and **the** customer