

Flag Salute.

Roll Call: Bruno, Johnson, Kashwick, Padmos, Perloff, 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.”

OPMA authorizes municipalities to conduct public meetings through use of streaming services and other online meeting platforms.

The Town of Clinton Council is meeting in person as well as providing an option for the public to participate via ZOOM video meetings. Please note that the option to attend is being provided as a courtesy, therefore, if Zoom becomes unavailable during the meeting and it cannot quickly be fixed, Council will continue with the remainder of the meeting.

For those joining us via Zoom, please raise your hand during designated times to be recognized for a comment. Whether you are appearing in person or via Zoom, you must provide your name to be recognized.

Please feel free going forward to email councilmeeting@clintonnj.gov with any questions or concerns between meetings. Please feel free to reach out with a note at jkovach@clintonnj.gov anytime!

APPROVAL OF MINUTES

A motion was made by Mr. Bruno, seconded by Ms. Padmos, to approve the minutes of the Council Meeting minutes and Executive Session minutes of September 27, 2023 as submitted.

Vote all ayes
1 Abstention (Johnson)
Motion carried

APPROVAL OF MONTHLY REPORTS

A motion was made by Mr. Kashwick, seconded by Mr. Perloff to approve the monthly reports for the month of September as submitted.

Vote all ayes
Motion carried

PUBLIC COMMENTS – NONE

MAYOR’S COMMENTS

1. Mayor Kovach thanked the DPW for always responding when asked to change out the lights to blue and white to show our support for Israel as we did for Ukraine.
2. Residents at View 22 are not receiving their mail. The Postmaster General is being contacted.

3. Thank you to Councilwoman Padmos for pointing out the turn signal for the Dunkin at Exit 15. The sign should read straight for access. Mayor Kovach contacted DOT and they came out immediately and corrected the problem.
4. Attended the Governor's Housing and Economic Development Conference, great panels and discussions around the State Plan which has not been updated since 2002. The State Planning Commission will be working closely with all stakeholders including the Highlands Council. This is important for Clinton so that there is no conflict in the state plan and the regional master plan.
5. Sgt. McGuire and Mayor Kovach attended a Film Ready program in Camden. This program will be coming to the Hunterdon/Warren/Sussex communities either the end of this year or the beginning of next year. With the goal of getting all towns film ready!
6. Tres Hermanos had a silent opening and Mayor Kovach was fortunate to attend the tasting and enjoyed it! They will notify the Town when they are ready to have an official grand opening and ribbon cutting.
7. Hunterdon Art Museum 70th Anniversary Celebration and the opening of exhibits including Philip Adams who did the mural on the patio wall and their fall exhibits. Mark from Citispot put together a video of the opening that the Art Museum hopefully will be sharing on social media.
8. 78/22 Coalition meeting was held last week. The group talked about some next steps and areas that we would like to focus on including the one seat ride and the future of transportation.
9. Coffee with a Cop was a success! Thank you to Officer Melissa Tornberg, the Chief and all the Clinton Police as well as Hunterdon County Prosecutor Renee Robeson and her team for joining us. Thank you for all the food and coffee donations. Always appreciated, especially by the young children!
10. Hunterdon County Chamber kicked off a new program, "Good Morning, Hunterdon" an opportunity for coffee and structured networking. Also, the Business Bash 2023, scheduled for October 25, 2023 at the Hunterdon Hills Playhouse, 4pm to 7pm., the Senior Expo at the Chamber offices and a mentorship program in partnership with SCORE. Business meeting for small businesses. If interested, group rates available, contact Clerk Covino.
11. NJDEA held a zoom program celebrating Hispanic owned businesses and Hispanic Heritage month. The program included elected, government and business owners.
12. Ribbons cuttings held for Addison Leigh, six year anniversary and welcomed HealthSync with a ribbon cutting.
13. Water Wheel documentary was shown last night at the Community Center, approximately 75 people in attendance. Thank you to Amy DeVita and the Red Mill for hosting and to Tracy and Bill Ivie for putting the story of the wheel together in a documentary. We were joined by everyone who was part of bringing the new wheel to life!

14. Location Manger bus tour today with 25 location managers; visited Round Valley Reservoir, the Red Mill, Hunterdon Art Museum and Main Street, Ironbound Farm and the Historic County Courthouse in Flemington. We also included all the other amazing locations in Hunterdon on a virtual map that was shared.
15. Friday is the Hunterdon County Economic and Tourism Summit, important to register soon.
16. Friday is also the kickoff of the Haunted Red Mill and will open with the traditional Michael Myers ribbon cutting with the bloody knife (minus the mask).

PROCLAMATION – HISPANIC HERITAGE MONTH

Mayor Kovach read the proclamation observing National Hispanic Heritage Month from September 15 to October 15, celebrating the histories, cultures, and contributions of America citizens whose ancestors came from Spain, Mexico, the Caribbean and Central and South America.

RESOLUTION #144-23 – SUPPORT OF COUNTY OPPOSITION TO H.R. 3372

A motion was made by Mr. Traphagen, seconded by Ms. Johnson to adopt Resolution #144-23 as submitted:

RESOLUTION # 144-23

Opposing H.R. 3372, Which Would Establish a 10-Year “Pilot Program for States to Test 91,000 Pound Trucks”

WHEREAS, H.R. 3372, was introduced in the House of Representatives on May 16, 2023, and would create a program for states to ‘test’ 91,000-pound trucks on their roads; and

WHEREAS, this increase to 91,000 pounds, represents a nearly 14% increase over the current large rigs which are approximately 80,000 pounds in weight; and

WHEREAS, a 2023, joint study prepared by the *National Association of Counties* and *National Association of County Engineers*, found that 72,000 local bridges across the country can’t safely handle 91,000-pound trucks and that it would cost \$61 billion to replace them; and

WHEREAS, according to the USDOT, even with a 6th axle distributing the load, 91,000-pound trucks would only pay for about 55% of their damage to roads and bridges; and

WHEREAS, since Congress last raised truck weights, the number of trucks registered in the U.S. and the miles they drive have increased by 91%; and

WHEREAS, Hunterdon County is home to numerous small and historic bridges that currently cannot handle existing heavy trucks that are on roadways; and

WHEREAS, existing truck traffic presents numerous challenges to Hunterdon County’s 26 municipalities including its numerous, small, historic downtowns; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Clinton hereby opposes H.R. 3372, and calls upon its federally elected representatives to oppose this legislation; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to U.S. Representative Tom Kean, U.S. Senators Robert Mendenez and Cory Booker; and

BE IT FURTHER RESOLVED, that the Clerk of the Town of Clinton shall send a copy of this resolution to all 26 Hunterdon County municipalities, with a request that they adopt similar resolutions in opposition to H.R. 3372.

Vote all ayes
Motion carried

RESOLUTION #145-23 – VEHICLES EQUIPPED WITH GLOBAL POSITIONING SYSTEMS

A motion was made by Mr. Perloff, seconded by Mr. Kashwick, to adopt Resolution #145-23 as submitted:

RESOLUTION #145-23

Requiring Certain Commercial Motor Vehicles to be Equipped with Global Positioning Systems

WHEREAS, bipartisan Assembly Bill No. 975 sponsored by Assemblyman John DiMaio and Assemblyman Daniel Benson would require a commercial motor vehicle operating upon the public highways of this State, to be equipped with a global positioning system navigation program that provides information about upcoming highway infrastructure with low vertical clearance and weight restrictions and dynamic route directions that account for commercial motor vehicle restrictions; and

WHEREAS, the legislation defines a “commercial motor vehicle” as a select group of vehicles with a gross vehicle weight rating of 26,001 or more pounds, or that display a gross vehicle weight rating of 26,001 or more pounds; and

WHEREAS, commercial motor vehicles have restricted routes of travel that are not readily displayed on civilian navigation systems that are sometimes used by operators of commercial motor vehicles; and

WHEREAS, because of limited information on civilian navigation systems, commercial motor vehicle operators often unintentionally end up on restricted weight roadways or are stopped along their route by a restricted weight bridge; and

WHEREAS, Hunterdon County has sustained damages to roadways and bridges as a result of overweight trucks traveling on them; and

WHEREAS, unless identified by a camera, or law enforcement personnel, Hunterdon County taxpayers are on the hook for the cost of repairs to infrastructure damaged by large trucks; and

WHEREAS, this legislation is also important given the number of historic bridges, culverts, and downtowns located throughout Hunterdon County that cannot accommodate large commercial vehicles and cause considerable disruption to local traffic flow; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Clinton does hereby support Assembly Bill No. 975 and Senate Bill No. 2643; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to members of the 15th, 16th, and 23rd Legislative Districts; and

BE IT FURTHER RESOLVED, that the Clerk of the Town of Clinton shall send a copy of this resolution to all 26 Hunterdon County municipalities, with a request that they adopt similar resolutions in support of Assembly Bill No. 975 and Senate Bill No. 2643.

Vote all ayes
Motion carried

INTRODUCTION OF ORDINANCE #23-22 – VALVE AND METER REPLACEMENT

A motion was made by Mr. Perloff, seconded by Ms. Padmos to introduce Ordinance #23-22 on first reading as submitted:

ORDINANCE #23-22

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$770,000 FOR THE VALVE AND METER REPLACEMENT PROJECT IN COMPLIANCE WITH THE WATER QUALITY ACCOUNTABILITY ACT IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$770,000 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 has heretofore been authorized to be undertaken by the Town of Clinton, in the County of Hunterdon, New Jersey (the "Town"). For the improvement or purpose described in Section 3(a), there is hereby appropriated the supplemental amount of \$770,000, such sum being in addition to the \$3,200,000 appropriated therefor by bond ordinance #18-07 of the Town, finally adopted July 10, 2018 (the "Original Bond Ordinance"). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the costs of the improvement since the project described in Section 3(a) hereof is being funded through the New Jersey Infrastructure Bank and because the purpose authorized herein is deemed self-liquidating and the bonds and bond anticipation notes authorized herein are deductible from the gross debt of the Town, as more fully described in Section 6(e) of this bond ordinance.

Section 2. In order to finance the additional cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$770,000 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 heretofore authorized and the purpose for the financing of which the bonds are to be issued is the Valve and Meter Replacement Project in compliance with the Water Quality Accountability Act, including various improvements related to the findings of the Town's Asset Management Plan, as described in the Original Bond Ordinance, including all work and materials necessary therefor and incidental thereto and further including all related costs incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is \$3,970,000, including the \$3,200,000 authorized by the Original Bond Ordinance and the \$770,000 bonds or bond anticipation notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$3,970,000, including the \$3,200,000 appropriated by the Original Bond Ordinance and the \$770,000 appropriated herein.

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 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) It is an improvement or purpose that the Town may lawfully undertake as a self-liquidating purpose of a municipal public utility. 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 20 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 \$770,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$730,000 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. Of this amount, \$675,000 was estimated for these items of expense in the Original Bond Ordinance and an additional \$55,000 is estimated therefor herein.

(e) This bond ordinance authorizes obligations of the Town solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the Town pursuant to N.J.S.A. 40A:2-44(c).

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 the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 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 summary of this ordinance will be published in the Hunterdon Review edition of October 18, 2023. A public hearing will be held November 8, 2023.

INTRODUCTION OF ORDINANCE #23-23 – WATER MAIN REPLACEMENT

A motion was made by Mr. Bruno, seconded by Ms. Johnson, to introduce Ordinance #23-23 on first reading as submitted:

ORDINANCE # 23-23

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$2,000,000 FOR THE WEST MAIN STREET WATER MAIN REPLACEMENT PROJECT IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$2,000,000 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 has heretofore been authorized to be undertaken by the Town of Clinton, in the County of Hunterdon, New Jersey (the "Town"). For the improvement or purpose described in Section 3(a), there is hereby appropriated the

supplemental amount of \$2,000,000, such sum being in addition to the \$1,740,000 appropriated therefor by bond ordinance #17-10 of the Town, finally adopted December 12, 2017 (the "Original Bond Ordinance"). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the costs of the improvement since the project described in Section 3(a) hereof is being funded through the New Jersey Infrastructure Bank and because the purpose authorized herein is deemed self-liquidating and the bonds and bond anticipation notes authorized herein are deductible from the gross debt of the Town, as more fully described in Section 6(e) of this bond ordinance.

Section 2. In order to finance the additional cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,000,000 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 heretofore authorized and the purpose for the financing of which the bonds are to be issued is the West Main Street Water Main Replacement Project, including a water main extension to reinforce the distribution system as well as the replacement of the critical river crossing and the installation of a new main along West Main Street and further including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is \$3,740,000, including the \$1,740,000 authorized by the Original Bond Ordinance and the \$2,000,000 bonds or bond anticipation notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$3,740,000, including the \$1,740,000 appropriated by the Original Bond Ordinance and the \$2,000,000 appropriated herein.

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 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) It is an improvement or purpose that the Town may lawfully undertake as a self-liquidating purpose of a municipal public utility. 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 40 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 \$2,000,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$935,000 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. Of this amount, \$435,000 was estimated for these items of expense in the Original Bond Ordinance and an additional \$500,000 is estimated therefor herein.

(e) This bond ordinance authorizes obligations of the Town solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the Town pursuant to N.J.S.A. 40A:2-44(c).

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 the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 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 summary of this ordinance will be published in the Hunterdon Review edition of October 18, 2023. A public hearing will be held November 8, 2023.

CORRESPONDENCE- NONE

REPORTS OF COUNCIL

Police Chief Kubinak

Coffee with a Cop was a success! Nice job by everyone who made it happen!
DEA take back Saturday, October 28, 2023. People can drop off unused prescriptions at the police department.

Councilman Perloff

Carpool Cinema was also a success! Approximately \$600 was raised for the Clinton Guild.

Councilman Kashwick

Shade Tree – tree plantings will be completed next week. Take downs on Pond Ridge and the Knolls have been completed and residents are very happy about that!

Councilman Traphagen

1. Historic Commission hosting the cemetery tour on Saturday, October 21, 2023 at 7:30 PM at Clinton Presbyterian Church on Center Street. Come and learn history and support the commission's façade program!
2. Rescue Squad reported 339 calls for September and 2,975 YTD, with 282 calls in the Town of Clinton.
3. Newsletter – the deadline to submit to our printer which was not made clear by the vendor as normally it is submitted within the month, was September 15 and the contract has now ended. The current newsletter is now available on the website. Mr. Traphagen's concern was the vendors that purchased ads were not getting their investment covered but was assured that they will be printed in other local newsletters in nearby communities. Councilwoman Padmos continues to research a new vendor.

Councilman Bruno

1. Clinton Fire Department – October 20, 2023 the fire house will be hosting Grill Night and will be free to veterans.
There is an interest in the fire department of installing standpipes on Route 78 to connect to hydrants below the roadway. With the increase in fires due to electric cars, the amount of water needed is extensive. Fire departments actually just let the cars totally burn because they are nearly impossible to extinguish and pumpers cannot have enough water to do so.
2. Building and Grounds – Britespeed optics cut into a new street in King's Crossing. Their work was stopped and they are required to make significant repairs.
3. Hunterdon Art Museum is hosting Day of the Dead on November 3, 2023 and will be hanging ornaments on the trees on Main Street. The ornaments are called Calaveras.
4. Councilman Bruno pointed out another problem with the digital signs at Dunkin. Mayor Kovach will reach out to the owner of the Shell station and ask that they adjust their signs.

5. Committee is looking into the Tennis and Pickleball court lights and will reach out to the residents of Rachel Court for their input. Discussions about light pollution and noise were mentioned.

Councilwoman Padmos

1. Councilwoman Padmos did send an email but have not heard back from the residents of Rachel Court regarding the lights at the courts.
2. Platinum Club meeting in Easton PA at 10:45 a.m. to visit the Sigal Museum this coming Wednesday, October 18, 2023.

STANDBY AND OVERTIME

A motion was made by Mr. Perloff, seconded by Mr. Bruno to approve the standby and overtime attached to these minutes for the period of September 15 through September 28, 2023.

ROLL CALL: Ayes: Bruno, Johnson, Kashwick, Padmos, Perloff, Traphagen, Mayor Kovach

Vote all ayes
Motion carried

PAYMENT OF BILLS

A motion was made by Mr. Perloff seconded by Mr. Bruno to approve the voucher list attached to these minutes.

ROLL CALL: Ayes: Bruno, Johnson, Kashwick, Padmos, Perloff, Traphagen, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #146-23 – EXECUTIVE SESSION

A motion was made by Mr. Bruno, seconded by Mr. Perloff, to adopt Resolution #146-23 in order to enter into Executive Session at 8:05 p.m.

RESOLUTION # 146-23

RESOLUTION AUTHORIZING EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act; *N.J.S.A. 10:4-6 et seq.*, declares it to be the public policy of the State to ensure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which business affecting the public is discussed or acted upon; and

WHEREAS, the Open Public Meetings Act also recognizes exceptions to the right of the public to attend portions of such meetings; and

WHEREAS, the Mayor and Council find it necessary to conduct an executive session closed to the public as permitted by the *N.J.S.A. 40:4-12*; and

WHEREAS, the Mayor and Council will reconvene in public session at the conclusion of the executive session;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Clinton, County of Hunterdon, State of New Jersey that they will conduct an executive session to discuss the following topic(s) as permitted by *N.J.S.A. 40:4-12*:

A matter which Federal Law, State Statute or Rule of Court requires be kept confidential or excluded from discussion in public (Provision relied upon:

_____);

_____A matter where the release of information would impair a right to receive funds from the federal government;

_____A matter whose disclosure would constitute an unwarranted invasion of individual privacy;

_____A collective bargaining agreement, or the terms and conditions thereof (Specify contract:

_____A matter involving the purchase, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed;

_____Tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;

_____Investigations of violations or possible violations of the law;

_____Pending or anticipated litigation or contract negotiation in which the public body is or may become a party; (the general nature of the litigation or contract negotiations _____OR

_____the public disclosure of such information at this time would have a potentially negative impact on the municipality's position in the litigation or negotiation; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.)

 X Matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his or her ethical duties as a lawyer; (The general nature of the matter is: Land Acquisition OR _____ the public disclosure of such information at this time would have a potentially negative impact on the municipality's position with respect to the matter being discussed; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists);

_____Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective or current public officer or employee of the public body, where all individual employees or appointees whose rights could be adversely affected have not requested in writing that the matter(s) be discussed at a public meeting; (The employee(s) and/or general nature of discussion is _____

OR _____ the public disclosure of such information at this time would violate the employee(s) privacy rights; therefore this information will be withheld until such time as the matter is concluded or the threat to privacy rights no longer exists.;

_____ Deliberation occurring after a public hearing that may result in the imposition of a specific civil penalty or loss of a license or permit;

BE IT FURTHER RESOLVED that the Mayor and Council hereby declare that their discussion of the subject(s) identified above may be made public at a time when the Town Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Town or any other entity with respect to said discussion. That time is currently estimated to be: _____ (estimated length of time) OR upon the occurrence of _____

BE IT FURTHER RESOLVED that the Mayor and Council, for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place.

Vote all ayes
Motion carried

ADJOURNMENT

Upon returning from Executive Session at 8:05 p.m. and there being no further business, a motion was made by Mr. Bruno seconded by Mr. Perloff to adjourn the meeting at 8:07 p.m.

Cecilia Covino, RMC/CMC
Municipal Clerk

Janice Kovach, Mayor