

Flag Salute.

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

STATEMENT OF ADEQUATE NOTICE:

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

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

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

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

Please use the chat feature in ZOOM to indicate that you wish to be recognized for a comment or a question. You must provide your name and address to be recognized. You can also type in your questions. Feel free going forward to email councilmeeting@clintonnj.gov 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. Humphrey, seconded by Ms. Intrabartola, to approve the minutes of October 27, 2021 as submitted.

Vote all ayes
Motion carried

APPROVAL OF EXECUTIVE SESSION MINUTES

A motion was made by Ms. Johnson-, seconded by Ms. Dineen, to accept the Executive Session minutes of October 27, 2021 as submitted.

Vote all ayes
Motion carried

APPROVAL OF MONTHLY REPORTS

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

Vote all ayes
Motion carried

PUBLIC COMMENTS

Jose Salazar, 48 Country Club Drive, came to the meeting to express his disappointment with the drainage project currently happening in front of this property and voiced his concern about his inability to tie his property drainage system into the storm sewer. The Road Committee advised him of the history to date which prompted this project and understood and appreciated Mr. Salazar's concerns but at this point must continue as designed.

MAYOR'S COMMENTS

1. New Jersey League of Municipalities is next week, November 16, 17, 18, 2021 in Atlantic City.
2. Clinton Fire Department was thanked by the Department of Human Services for helping out at the Hunterdon Developmental Center.
3. The Town of Clinton received a Complete Street Award, which will be presented to Council at the December 8, 2021 council meeting.
4. Letter of resignation received from former Councilwoman Beth Sosidka and current member of the Board of Health. Ms. Sosidka received a promotion with her company and will be relocating to Texas in January. A motion was made by Ms. Intrabartola, seconded by Mr. Humphrey, to accept her resignation with regrets and wish her all the best.

Vote all ayes
Motion carried

5. Congress has passed a \$1.2 trillion infrastructure bill, \$12M coming to New Jersey.
6. State Senate will enter into Lame Duck hearing next Monday, November 15, 2021.

DOG PARK PRESENTATION

John Bohnel, 76 Center Street, presented Council with a history of the Community Center and the Gebhardt Field and grandstand. Mr. Bohnel has dedicated a great amount of his time to making a presentation which included a reduction in the size of the current baseball field, price quotes for fencing and the number of dogs that are registered in Clinton. Mr. Bohnel distributed a map showing the two properties owned by the Town to illustrate the potential for the various community park amenities and a dog park. Mr. Bohnel understands that this presentation will be taken up at the next Buildings & Grounds meeting before any further discussion or action is taken and would like to continue the discussion at that meeting.

35th ANNUAL CHRISTMAS PARADE

A special event application has been received from Dan Torrone, Dr. D Entertainment, organizer of the Christmas Parade, to once again have the "LIVE" Christmas Parade following the official route! Mr. Torrone has met with Police Chief Kubinak and discussed additional police coverage and particulars of the parade and all is in order. A motion was made by Ms. Dineen, seconded by Ms. Johnson, to approve the request as submitted.

Vote all ayes
Motion carried

RESOLUTION #157-21 – TRANSFER OF FUNDS

A motion was made by Mr. Humphrey, seconded by Ms. Johnson, to adopt Resolution #157-21 as submitted:

RESOLUTION – #157-21

WHEREAS, it has been determined that there will be excesses in certain appropriations over and above the amount deemed to be necessary to fulfill the purpose of such appropriations for the year 2021, and it has also been determined that certain appropriations are deemed to be insufficient to fulfill the purposes of such appropriations; and

WHEREAS, N.J.S.A. 40A:4-58 provides for the transfer of the amount of such appropriations as may be deemed in excess to such appropriations as may be deemed to be insufficient; and

WHEREAS, the transfers about to be authorized do not affect any appropriations, to which or from which transfer are prohibited under the statutes;

NOW, THEREFORE, BE IT RESOLVED that the following transfers between 2021 appropriations be authorized pursuant to N.J.S.A. 40A:4-58:

	<u>From</u>	<u>To</u>
Tax Assessment – Other Expenses	\$ 2,000.00	
Engineering – Other Expenses	5,000.00	
Planning Board – Other Expenses	5,000.00	
Solid Waste Collection – Other Expenses	10,000.00	
Electricity – Other Expenses	5,000.00	
Maintenance of Parks – Other Expenses	1,300.00	
Emergency Management – Other Expenses	<u>3,500.00</u>	
Liability Insurance – Other Expenses		\$ 9,300.00
Shade Tree – Other Expenses		4,000.00
Emergency Management – Salary & Wages		3,500.00
Gasoline – Other Expenses		15,000.00
		<u> </u>
TOTALS	\$ 31,800.00	\$ 31,800.00
Water Utility Interest	\$ 83,000.00	
Water Utility Principal		\$ 83,000.00

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

Vote all ayes
Motion carried

RESOLUTION #158-21 – PERSON TO PERSON TRANSFER

A motion was made by Ms. Karsh, seconded by Ms. Dineen, to adopt Resolution #158-21 as submitted:

RESOLUTION #158-21

WHEREAS an application has been filed for a Person-to-Person transfer of a Plenary Retail Distribution License Number 1005-44-001-006, heretofore issued to Quick Chek Corporation for the premises located at 41, 41-1/2 & 43 Old Highway 22, Clinton, New Jersey;

WHEREAS the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

WHEREAS the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33;

WHEREAS the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business;

NOW, THEREFORE BE IT RESOLVED, that the Town of Clinton Governing Body does hereby approve, effective November 10, 2021, the transfer of the aforesaid Plenary Retail Distribution License to JD Corporation and does hereby direct the Municipal Clerk/A.B.C. Board Secretary to endorse the license certificate to the new ownership as follows: This license, subject to all its terms and conditions, is hereby transferred to JD Corporation effective November 10, 2021.

Vote all ayes
Motion carried

INTRODUCTION OF ORDINANCE #21-24 – LAND DEVELOPMENT CHECKLIST

A motion was made by Ms. Karsh, seconded by Mr. Humphrey, to reintroduce Ordinance #21-24:

ORDINANCE #21-24

ORDINANCE AMENDING TOWN OF CLINTON CODE SECTION 88-39 REGARDING LAND DEVELOPMENT APPLICATION FILING PROCEDURES AND THE “LAND DEVELOPMENT APPLICATION – DEVELOPMENT REVIEW CHECKLIST”

“**WHEREAS**, this ordinance is being re-introduced and adopted because, due a clerical error, the Town’s official newspaper did not timely publish notice of the previous introduction and public hearing.”

WHEREAS, N.J.S.A. 40:55D-10.3, requires municipalities to adopt a checklist for land use applications by ordinance; and

WHEREAS, Town Code Section 88-102 requires applications for development within the Town’s Highlands Districts to include a “consistency determination from the Highlands Council” prior to being deemed complete and provides as follows:

Highlands Council referral requirements.

A. Consistency determinations required. No application for development included in § 88-101 above, shall be deemed complete or considered for review by the applicable Town Land Use Board until and unless the applicant has obtained and provided a copy of:

(1) A consistency determination from the Highlands Council indicating that the application is consistent with the Highlands Regional Master Plan; or

(2) A consistency determination from the Highlands Council indicating that the application is not consistent with the Highlands Regional Master Plan, accompanied by a certification, as detailed in Subsection B below, by the applicant's professional(s) that the application has been revised since review by the Highlands Council to achieve consistency with the Highlands Regional Master Plan.

B. Findings of inconsistency. Where a Highlands Council consistency determination indicates that an application for development is inconsistent with the Highlands Regional Master Plan, no such application shall be deemed complete or considered for review by the applicable Town Land Use Board, until or unless the applicant has obtained from the professional(s) responsible for preparation of the applicant's plans, a certification indicating that to the best of the knowledge and abilities of such professional(s), the application has been revised to achieve consistency with the Highlands Regional Master Plan and specifically describing the revisions made to achieve such consistency.

WHEREAS, although the Town Council asserts that Town Section 88-102 is enforceable and speaks for itself, the Town Council believes it is in the best interest of the Town to include the requirement of a "consistency determination from the Highlands Council" on the land development checklist; and

WHEREAS, the Town Council has also determined it is in the best interest of the Town to further amend the land development checklist and to amend the corresponding ordinances to reduce the number of paper application copies required to be submitted by an applicant and require digital copies of all application materials; and

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

SECTION 1. Sections 88-39(B) and (C) of the Code of the Town of Clinton ("Code") regarding filing procedures for subdivision and site plan applications are amended as follows (Additions noted in bold italics **thus** and deletions noted with a strikethrough ~~thus~~):

B. Time of filing. Said applications shall be filed with the Secretary of the Land Use Board at least 24 **20 business** days prior to the regular meeting of the Land Use Board.

C. Application content. Content of the application shall be as follows:

(1) Sketch subdivision plat: an application form in triplicate; ~~4~~ **4** black ~~or blue on~~ **and white or color** prints of the subdivision plat **and one digital copy of all application documents in Adobe Portable Document Format (PDF).**

(2) Preliminary subdivision plat and preliminary site plan: an application form in triplicate; ~~4~~ **4** black ~~or blue on~~ **and white or color** prints of the subdivision plat or site plan

and other required documents and improvement plans **and one digital copy of all application documents in Adobe Portable Document Format (PDF).**

(3) Final subdivision plat and final site plan: an application form in triplicate; ~~40~~ **4** black ~~or blue on~~ **and** white **or color** prints of the subdivision plat or site plan and ~~for subdivision plats, the original tracing, three translucent tracings and two cloth prints~~ **one digital copy of all application documents in Adobe Portable Document Format (PDF).**

SECTION 2. The Town of Clinton Land Use Development Application – Development Review Checklist is amended to add the following and consistent with Exhibit A attached hereto:

47. A digital copy in Adobe Portable Document Format (PDF) of all application related documents including but not limited to plans, reports, checklists and correspondence.

48. In accordance with the requirements of §88-102A of the Land Use Ordinance, a consistency determination from the New Jersey Highlands Council in compliance with either §88-102A(1) or §88-102A(2) or proof the applicant is entitled to exclusion under §88-103A or exemption under §88-103B.

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

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

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

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

CHECKLIST AVAILABLE FOR REVIEW IN THE CLERK'S OFFICE FOR ANYONE INTERESTED. NO CHARGE and IS AVAILABLE ON THE TOWN OF CLINTON WEBSITE

Vote all ayes
Motion carried

A copy of this ordinance will be published in the Hunterdon County Democrat edition of November 18, 2021. A public hearing will be held December 8, 2021

CORRESPONDENCE - none

REPORTS OF COUNCIL

Councilwoman Karsh

Clinton Guild Holiday Extravaganza is in full swing! All dates are posted on Facebook. Dickens' Days November 26 to 28, 11 am to 4pm

Community Tree Lighting, Friday, November 26, 6:30 p.m. to 8:00 p.m.

Winter Village at the Red Mill Friday November 26 through Sunday November 28, 2021
Red Mill Festival of Trees, Friday, November 26 through December 5, 2021
Santa's Workshop, Hunterdon Art Museum Terrace, Friday, November 26 through 31
Clinton Menorah Lighting and Concert, HAM terrace Sunday, November 28 at 6:30 p.m.
Annual Christmas Parade, Friday December 3, 7:00 to 9:00 p.m.
Candlelight Night, Thursday, December 16 6:00 p.m. to 9:00 p.m.

Economic Development Commission – expect to receive the study the week of Thanksgiving and a final draft to follow. Councilwoman Dineen to chair the commission upon Ms. Karsh's resignation from Council.

Councilwoman Johnson referred to Councilwoman Intrabartola for report

Board of Recreation – updated packets are to be offered for half day and all day programs and an overhaul of the programs offered. Councilwomen Intrabartola and Johnson have been in communication with Dr. Cohen, investigating if the CPS faculty would consider being involved with offering specialty classes such as STEM classes, acting, chorus and dance. The program will run July 5 through July 29 and is expected to be a more structured program for full day. More information expected to be available for an upcoming meeting.

Councilman Humphrey

Newsletter – a redesign of the newsletter will be going out in the December edition. Please submit all articles ASAP! An article in the newsletter will be announcing the Rabies Clinic January 22, 2022.

Clinton Fire Department – future organizational structure for the fire district being discussed. Water usage for drills was discussed and Mr. Phelan is preparing a form to be completed and submitted to Steve Higgins or Art Dysart, Water Superintendent, prior to drills being scheduled.

Platinum Club held their first meeting and was well attended. Next meeting Friday, November 12 at 4:00 pm. A motion was made by Mr. Humphrey, seconded by Mr. Traphagen to appoint Galen Tinder to the Committee. Norma Kania will take the position as Chair and Galen Tinder, Vice Chair.

Vote all ayes
Motion carried

Councilwoman Dineen

Land Use Board – approved a site plan waiver for Frank Gallagher, East Main Street, Maine on Main!

Roads Committee – drainage project on Country Club, mentioned earlier this evening. Georges Place and Union Road – waiting for final inspections to be completed by Department of OT
Lingert, trenching and gas line trenches are in good shape and will settle over the winter, will be addressed in the spring. A \$150,000 State Aid grant was awarded to mill and pave Haver Farm. Residents will have an opportunity to hook up to gas prior to paving. A resident on Ruppell's Road asked when the road would be paved and the situation is complicated. Most road projects are funded by DOT and the Town of Clinton only owns half the road, from the center of the road, which makes requesting funding a challenge. All roads are continuously monitored.

Councilman Traphagen

Rescue Squad – 451 calls for the month of October. Upcoming water related drills and post IDA training sessions to learn more about areas that we need to improve in light of the storm. Volunteers from other towns will be attending as well as a few Town of Clinton police officers.

STANDBY AND OVERTIME

A motion was made by Ms. Johnson, seconded by Ms. Intrabartola, to approve the standby and overtime attached to these minutes for the period of October 15 through October 28, 2021.

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

Vote all ayes
Motion carried

PAYMENT OF BILLS

A motion was made by Mr. Humphrey seconded by Ms. Dineen, to approve the voucher list as attached to these minutes.

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

Vote all ayes
Motion carried

ADJOURNMENT

There being no further business, a motion was made by Ms. Johnson, seconded by Mr. Humphrey to adjourn the meeting at 9:07 p.m.

Cecilia Covino, RMC/CMC
Municipal Clerk

Janice Kovach, Mayor