

Flag Salute.

Roll Call: Bruno (zoom) 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](mailto:councilmeeting@clintonnj.gov) with any questions or concerns between meetings. Please feel free to reach out with a note at [jkovach@clintonnj.gov](mailto:jkovach@clintonnj.gov) anytime!

**APPROVAL OF MINUTES**

A motion was made by Mr. Traphagen, seconded by Ms. Johnson, to approve the minutes of the Council Meetings held November 8 and 22, 2023 and the Executive Session of November 8, 2023.

Vote all ayes  
Abstention (Perloff minutes of November 22, 2023)  
Motion carried

**APPROVAL OF MONTHLY REPORTS**

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

Vote all ayes  
Motion carried

**PUBLIC COMMENTS**

Nicholas Bissiotis, Scout with Troop 121, came to announce Breakfast with Santa at Clinton Presbyterian Church on Sunday, December 17, 2023, adults \$8.00 and children \$4.00. Times are 9:00 am to 10:00 am and 10:30 am to 11 am.

Megan Moore, Haver Farm Road, member of the Clinton Public School Board of Education and also works with Prevention and Recovery in Hunterdon. Ms. Moore questioned the money coming from the opioid settlement and what is being planned for spending it on? Chief Kubinak said they were directed to complete a form describing a purchase that would be made with a portion but that item that was suggested was not set in stone. The machine being considered identifies unknown drug substances of all types that helps keep officers aware of what they are dealing with and stay safe. Ms. Moore stated fentanyl does not make officers overdose and the Chief said Fentanyl and the variety of other unknown substances can and

will made officers ill from exposure. This is what the chief wants to protect them from. Councilwoman elect, Kim Stentz, a pharmacist by profession, asked if the officers wear gloves and masks when going in on a call? Chief Kubinak stated yes but sometimes minutes are critical. Ms. Moore is challenging the purchase of such equipment and stated it should be going to families in need of assistance with family members needing rehab or educating people. Councilwoman Johnson, as a social worker, said she is an advocate for people who need help but explained that by the terms of the agreement the town signed for, monies must be used toward law enforcement not necessarily for treatment. There are other stipulations in other agreements that designate different monies to utilize in different areas, but this is what the town signed up for. Hunterdon does not have many resources for drug abuse. Councilman Bruno, also a police officer, asked Chief Kubinak how the equipment will be handled and will it be calibrated and routinely checked by the company to make sure it keeps up with standards? At this time, Narcan is free from the State but it may be wise to sit on funds to get Narcan if it is not available in the future. With the strength of these new drugs, Narcan has to be doubled to save a victim. Carol Bissiotis, Rupell's Road, said Clinton being directly off the highway on the way to Pennsylvania is a direct route for drug trafficking. Ms. Bissiotis supports the police choice of equipment to keep officers safe. Councilwoman Padmos thanked Ms. Moore for attending the meeting and bringing her thoughts to the forefront. Ms. Padmos thanked the Chief for keeping the Town and the officers safe. Ms. Moore's last statement was "the idea is unconscionable and a bad use of the money".

### **MAYOR'S COMMENTS**

Moment of Silence for Father Christmas Ron Lomerson and Claire Knapp. Thank you, Councilwoman Padmos, for attending the memorial for Ron and reading the Proclamation on behalf of Mayor and Council.

Dickens Days was another amazingly successful weekend! Thank you as always to the Guild and our entire downtown business community. It was our last event with Father Christmas, he will be missed.

Christmas Tree lighting was very well attended – thank you to the Guild as always for hosting Doctor D for being the ultimate MC, the Wintermute family who donates the tree every year and of course Santa and the fire department!

Winter Village at the Red Mill ran for 2 consecutive weekends, and was rather successful even with the rain on Sunday.

There was a hiccup with DOT getting the crosswalks repainted because of weather but they were finally completed. A reminder to all drivers to watch closely for people crossing because even with the painted walk there are still cars not stopping.

Resident on zoom raised her hand with a comment and question regarding the crossing situation on West Main Street. Rachel Young asked if it is possible to have the Red Mill hire an off duty crossing guard when they hold their events at the Mill. It is very dangerous crossing and she and her small children were almost hit by a car. She also suggested that an officer sit there and observe people crossing by the Clinton House headed to the Landsdown Trail. Chief Kubinak agreed it is difficult and officers are known to be stationed there from time to time.

Amy Overman JCPL – JCPL reached out and they are going to the BPU for a rate increase that would assist with funding infrastructure. Including reducing outages and outage times, trip saver on Messig and Busher, isolated and reset automatic/remotely, replacing fuses and wires \$10M direct benefit to the Town, and \$8M for the substation underground border. The goal is to begin work in 2024.

Police building Committee met with the Nader Group, Architect (Wassim and Karen) to begin the discussions about the next steps for the police building.

Christmas Parade - a little rain did not stop the excitement or attendance. 37<sup>th</sup> annual parade

Police committee met to review the request that is on our agenda tonight to create the corporal position for the Police Department.

Liquor License Task force met today and established some next steps to address potential legislation in the next legislative session.

Menorah lighting with the Chabad will be tomorrow at 6:30pm on the Art Museum patio

And finally, the property acquisition is going to be tabled until January - to address some Phase I questions. Mayor is going to ask the Environmental Commission to take a look at the full report once we receive it.

**INTRODUCTION OF ORDINANCE #23-24 – SALARY RANGE 2024**

A motion was made by Mr. Perloff seconded by Ms. Johnson to introduce Ordinance #23-24 as submitted:

**ORDINANCE #23-24**

**AN ORDINANCE FIXING THE POSITION TITLES AND SALARY RANGES OF CERTAIN OFFICERS AND EMPLOYEES IN THE TOWN OF CLINTON IN THE COUNTY OF HUNTERDON AND FOR THE WATER UTILITY AND THE SEWER UTILITY IN THE TOWN OF CLINTON IN THE COUNTY OF HUNTERDON**

BE IT ORDAINED by the Mayor and Council of the Town of Clinton in the County of Hunterdon and State of New Jersey as follows, until a subsequent salary ordinance is adopted:

The salary ranges per annum for the following officers and employees of the Town of Clinton, the Water Utility, the Solid Waste Utility and the Sewer Utility shall be as follows:

<b><u>TITLE</u></b>	<b><u>SALARY RANGE</u></b>
Town Clerk	25,000.00 - 100,000.00
Deputy Town Clerk	8,000.00 - 20,000.00
Assessment Search Officer	1,000.00 - 2,000.00
Assessor of Taxes	15,000.00 - 40,000.00
Assistant to Tax Assessor	3,000.00 - 10,000.00
Collector of Taxes	7,000.00 - 25,000.00
Deputy Tax Collector	6,000.00 - 35,000.00
Tax Search Officer	1,000.00 - 2,000.00
Collector of Water Rents	30,000.00 - 75,000.00
Collector of Solid Waste Utility	5,000.00 - 10,000.00
Chief Financial Officer	25,000.00 - 100,000.00
Deputy Treasurer	6,000.00 - 50,000.00
Treasurer of Water Department	15,000.00 - 45,000.00
Finance Assistant	10,000.00 - 45,000.00

Secretary to Land Use Board	4,000.00 - 40,000.00
Secretary to Board of Health	500.00 - 5,000.00
Registrar of Vital Statistics	500.00 - 5,000.00
Public Works/Business Administrator	65,000.00 - 180,000.00
Superintendent of Water Department	45,000.00 - 120,000.00
Assistant Superintendent of Water Department	40,000.00 – 90,000.00
Superintendent of Wastewater Plant	45,000.00 - 140,000.00
Laboratory Supervisor/Manager	35,000.00 - 95,000.00
Public Works Employee/Foreman	10.00 - 75.00/Hr.
Public Works Crew Leader	2,000 - 5,000
Chief of Police	65,000.00 - 190,000.00
Sergeant	50,000.00 - 165,000.00
Patrolman	30,000.00 - 140,000.00
Corporal	4,500.00 – 10,000.00
School Resource Officer	30.00 – 50.00/Hr.
Emergency Management Coordinator	1,000.00 - 7,000.00
Emergency Management Administrator	250.00 – 2,500.00
Building Sub-Code Official	10,000.00 - 40,000.00
Electrical Sub-Code Official	3,000.00 - 12,000.00
Plumbing Sub-Code Official	3,000.00 - 12,000.00
Fire Sub-Code Official	2,500.00 - 7,500.00
Construction Control Officer	2,000.00 - 45,000.00
Zoning Officer	2,500.00 - 12,000.00
Code Enforcement/Housing Officer	3,000.00 - 20,000.00
Fire Prevention Officer	7,500.00 - 25,000.00
Animal Control Officer	3,000.00 - 10,000.00
Mayor	3,000.00 - 7,500.00
Council Member	3,000.00 - 7,000.00
Laborer/Seasonal Help	6.00 - 20.00/Hr.
Clerical/Bookkeeping Help	6.00 - 25.00/Hr.
Janitor Community Center	10.00 - 25.00/Hr.
School Crossing Guards	14.00 - 30.00/Hr.
Recreation Adult Instructors	700.00 - 10,000.00
Recreation Teen Counselors	6.00 - 15.00/Hr.
Stand-by Hourly Rate	4.00 - 10.00/Hr.
Mileage	Per IRS Regulations

All employees shall be paid on a biweekly basis except for the Mayor and Council, who shall be paid on a quarterly basis. The above schedules are subject to changes required on account of calendar year requirements.

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 of this ordinance.

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

Vote all ayes  
Motion carried

A copy of this ordinance will be published in the Courier News December 17, 2023. A public hearing will be held December 27, 2023.

**INTRODUCTION OF ORDINANCE #23-25 – AMENDED HIGHLANDS CONSISTENCY PLAN**

A motion was made by Mr. Traphagen seconded by Mr. Kashwick to introduce Ordinance #23-25 as submitted:

**ORDINANCE #23-25**

**1) ADOPTING AN AMENDED HIGHLANDS LAND USE ORDINANCE;**

**(2) AMENDING TOWN OF CLINTON CODE SECTION 88-39 REGARDING LAND DEVELOPMENT APPLICATION FILING PROCEDURES AND THE “LAND DEVELOPMENT APPLICATION – DEVELOPMENT REVIEW CHECKLIST;” and**

**(3) PROHIBITING WAREHOUSING AND DISTRIBUTION CENTERS AS PRINCIPAL USES IN THE INDUSTRIAL DISTRICT**

Summary: The Ordinance amends the Highlands Land Use Ordinance. The Ordinance adopts the Highlands Model Land Use Ordinance with modifications requiring residential and commercial cluster development in the protection zone and requiring the use of the most up-to-date maps published by the Highlands Council. Consistent with the Highlands Land Use Ordinance, the Ordinance also amends the Town’s land use development checklists to require digital submissions, decrease the number of paper copies submitted, require a Highlands consistency review, and submission of a geotechnical report in certain circumstances. Lastly, the Ordinance prohibits warehousing and distribution centers as principal uses within the industrial zone and permitting such uses as accessory uses only within the industrial zone.

Vote all ayes  
Motion carried

The complete copy of the plan is available in the clerk’s office for review. A copy of the summary will be published in the Courier News, December 17, 2023 edition. A public hearing will be held December 27, 2023.

**RESOLUTION #156-23 – PUMPING SERVICES, INC.**

A motion was made by Ms. Johnson seconded by Ms. Padmos to adopt Resolution #156-23 as submitted:

**RESOLUTION #156-23**

WHEREAS, the Town of Clinton wishes to utilize the services to install New Mixers in Aeration Tank B1 from an authorized vender under the North Jersey Wastewater Coop;

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, Pumping Services, Inc. has been awarded Contract B364-2 under the North Jersey Wastewater Coop;

WHEREAS, the purchasing agent recommends the utilization of this contract on the grounds that it represents the best price available; and

WHEREAS, the actual cost for the installation of New Mixers in Aeration Tank B1 is not expected to exceed \$53,910.90; and

WHEREAS, the Chief Financial Officer has certified the availability of \$53,910.90 under the Sewer Budget, Other Expenses,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Clinton, that Pumping Services, Inc. be awarded a contract for the installation of New Mixers in Aeration Tank B1.

Roll call: Bruno, Johnson, Kashwick, Padmos, Perloff, Traphagen, Mayor Kovach

Vote all ayes  
Motion carried

**RESOLUTION #157-23 – HEADLEY FARMS WATER RESERVATION**

A motion was made by Mr. Perloff seconded by Ms. Johnson to adopt Resolution #157-23 as submitted:

**RESOLUTION # 157-23  
RESOLUTION APPROVING WATER CAPACITY RESERVATION  
APPLICATION #L23-09**

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

**WHEREAS**, on August 12, 2020, pursuant to Town of Clinton (the “Town”) Council Resolution #119-20 (as amended by Resolution #146-21), the Town approved Water Reservation Application #L20-04 in the amount of 26,720 GPD submitted in the name of Kerwin-Savage Partnership for property located at 108 Alton Place in the Township of Clinton (Block 79.07, Lot 1); and

**WHEREAS**, the approval was extended twice for a total of two years pursuant to Town Council Resolutions #122-21 and #44-23; and

**WHEREAS**, in compliance with an Order entered in the case of In re: Township of Clinton, Docket No. HNT-L-315-15, pursuant to Resolution #164-21, the water allocation approved under Application #L20-04 was transferred to the Township of Clinton to be held in trust and used for affordable housing purposes; and

**WHEREAS**, the allocation under Water Reservation Application #L-20-04 expired on August 12, 2023; and

**WHEREAS**, CRC Communities at Headley Farm Estates, Inc. (“CRC”) is the owner of property designated as Block 46, Lots 33 and 33.01 on the Tax Maps of the Township of Clinton (the “Property”); and

**WHEREAS**, CRC has proposed a 400-unit inclusionary development on the Property (the “Project”), which is included in the Township of Clinton’s Affordable Housing and Fair Share Plan as a compliance mechanism; and

**WHEREAS**, CRC submitted a water reservation on August 9, 2023 (amended by letter and additional submissions on August 22, 2023; September 26, 2023) for a water reservation for Phase 2 of the Project upon notice to and consent of the Township of Clinton; and

**WHEREAS**, on November 6, 2023 the Town's Water Committee held their monthly meeting in which they have reviewed and approved the above-referenced water reservation application, conditioned upon receipt of confirmation from the Township of Clinton that it consented to holding such water allocation in trust for affordable housing purposes.

**NOW, THEREFORE BE IT RESOLVED**, that in accordance with Chapter 142, Section 1, Sub-section J(3) of the Town's Ordinances, the Mayor and Council hereby approves Water Reservation Application # L23-09 in the amount of 26,720 GPD through August 12, 2024.

**BE IT FURTHER RESOLVED**, in accordance with Chapter 142, Section E, the water reservation under Application L23-09 may be renewed for two one-year periods. (i.e. with extensions, a water reservation may be valid for up to three years).

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

Vote all ayes  
Motion carried

**RESOLUTION #158-23 - MUNICIPAL ALLIANCE**

A motion was made by Ms. Johnson, seconded by Mr. Traphagen, to adopt Resolution #158-23 as submitted:

**RESOLUTION #158-23  
FORM 1B**

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, The Town Council of the Town of Clinton, County of Hunterdon, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

**WHEREAS**, the Town Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS**, the Town Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Hunterdon;

**NOW, THEREFORE, BE IT RESOLVED** by the Town of Clinton, County of Hunterdon, State of New Jersey hereby recognizes the following:

1. The Town Council does hereby authorize submission of a strategic plan for the North Hunterdon Municipal Alliance grant for fiscal year 2025 in the amount of:

DEDR	\$ <u>10,070.00</u>
Cash Match	\$ <u>2,517.50</u>
In-Kind	\$ <u>7,552.50</u>

- The Town Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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

Vote all ayes  
Motion carried

**RESOLUTION #159-23 – OVERPAYMENT OF TAXES**

A motion was made by Mr. Kashwick, seconded by Mr. Perloff, to adopt Resolution #159-23 as submitted:

**RESOLUTION # 159-23**

**WHEREAS**, the Tax Collector of the Town of Clinton has received overpayments for the following block and lots,

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Town of Clinton that the Chief Financial Officer be authorized to refund the overpayment to Corelogic Real Estate Tax Service c/o Centralized Refunds, P.O. Box 9202, Coppell, Texas, 75019-9978, for the following accounts:

<b><u>BLOCK</u></b>	<b><u>LOT</u></b>	<b><u>OWNER</u></b>	<b><u>AMOUNT</u></b>
22	5.02	Vag, Anne E & Sandra L Halbing	\$3,076.67
31.01	7.01 C1724	Buhl, Scott	\$2,770.22
32	1	Cockerline, Brian R & H A Thornton	\$ 270.63

**BE IT FURTHER RESOLVED** that the Tax Collector remove the overpayments on the above block and lots for the 4th quarter 2023.

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

Vote all ayes  
Motion carried

**PROPERTY ACQUISITION ITEMS**

Mayor Kovach explained that the next four items on the agenda will be tabled tonight. Resolution to purchase property, Ordinance to purchase property, resolution to amend the capital budget for 2023 and the final ordinance to make a purchase of property.

**RESOLUTION # 160-23 – HIRING OF TOWN ENGINEER TO PREPARE CONCEPT PLAN**

Councilwoman Johnson explained the terms of the grant and that the professionals will be paid for through the \$100,000 DCA grant already received for the purpose of professionals. This Green Acres grant was originally only for counties and is now available to municipalities. They match up to 75% of the cost so if the project is \$600,000, the town will need to cover \$25,000 which between the existing



grant money and the booster club funds we can cover that. A motion was made by Ms. Johnson, seconded by Ms. Padmos, to adopt Resolution #160-23 as submitted:

**RESOLUTION #160-23**

**AUTHORIZING THE TOWN ENGINEER TO PREPARE A SURVEY AND CONCEPT PLAN  
IN CONNECTION WITH A GREEN ACRES GRANT APPLICATION**

**WHEREAS**, the Town of Clinton intends to apply for a grant from the New Jersey Green Acres Program, Jake’s Law Program (the “Grant”) to fund certain improvements to the playground at Halstead Street Park; and

**WHEREAS**, Grant application requires the submission of a survey and concept plan; and

**WHEREAS**, the Town requested quotes for such services and received one from its Township Engineer, Van Cleef Engineering, which is attached hereto; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) authorizes the hiring of a professional without competitive bidding providing that the resolution authorizing the award of contracts for “Professional Services” without competitive bidding and the contract itself be made available for public inspection.

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

1. The Township Engineer is authorized to perform the work to produce a survey and concept plan as set forth in the attached proposal. Such work shall be performed consistent with the Township Engineer’s annual appointment and the attached proposal.
2. The fees paid under such agreement shall not exceed \$15,000.00.
3. This proposal is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public contracts Law, subject to N.J.S.A. 40A:5-11, which states that “No local unit shall be required to advertise for bids for any of the work performed pursuant to 40A:5-4.”
4. A notice of this action shall be printed once in the official newspaper of the Town and a copy of the resulting contract shall be made available for public inspection.
5. This resolution shall take effect immediately.

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

Vote all ayes  
Motion carried

**RESOLUTION #161-23 – ENGINEER TO PREPARE PRELIMINARY ASSESSMENT**

A motion was made Ms. Johnson, seconded by Ms. Padmos, to adopt Resolution #161-23 as submitted:

**RESOLUTION #161-23**

**AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH MONTROSE ENVIRONMENTAL TO PERFORM A PRELIMINARY ASSESSMENT AND SURVEY IN CONNECTION WITH A GREEN ACRES GRANT APPLICATION**

**WHEREAS**, the Town of Clinton intends to apply for a grant from the New Jersey Green Acres Program, Jake’s Law Program (the “Grant”) to fund certain improvements to the playground at Halstead Street Park; and

**WHEREAS**, Grant application requires the submission of a preliminary assessment report; and

**WHEREAS**, the Town requested quotes for such services and received one from Montrose Environmental, which is attached hereto; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) authorizes the hiring of a professional without competitive bidding providing that the resolution authorizing the award of contracts for “Professional Services” without competitive bidding and the contract itself be made available for public inspection.

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

1. The Mayor and Clerk are hereby authorized to execute the attached proposal.
2. The fees paid under such agreement shall not exceed \$2,400.00.
3. This contract is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public contracts Law, subject to N.J.S.A. 40A:5-11, which states that “No local unit shall be required to advertise for bids for any of the work performed pursuant to 40A:5-4.”
4. A notice of this action shall be printed once in the official newspaper of the Town and a copy of the resulting contract shall be made available for public inspection.
5. This resolution shall take effect immediately.

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

Vote all ayes  
Motion carried

**RESOLUTION #162-23 – TRANSFER OF FUNDS**

A motion was made by Mr. Perloff, seconded by Mr. Traphagen, to adopt Resolution #162-23 as submitted:

**RESOLUTION #162-23**

**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 2023 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 2023 appropriations be authorized pursuant to N.J.S.A. 40A:4-58:

	<u>From</u>	<u>To</u>
Maintenance of Parks -Other Expenses	\$100.00	
Environmental Commission – Other Expenses		\$25.00
Recreation Committee – Other Expenses		\$75.00
<b>TOTALS</b>	<hr/> \$ 100.00	<hr/> \$100.00

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

Vote all ayes  
Motion carried

**RESOLUTION #163-23 – AMENDING RULES & REGULATIONS OF POLICE DEPARTMENT**

A motion was made by Mr. Kashwick, seconded by Ms. Johnson, to adopt Resolution #163-23 as submitted:

**RESOLUTION # 163-23**

**RESOLUTION AMENDING THE RULES AND REGULATIONS OF THE  
TOWN OF CLINTON POLICE DEPARTMENT**

**WHEREAS**, the Town of Clinton Police Department (the “Department”) is established pursuant to N.J.S.A. 40A:14-118 and Town of Clinton Code Section 18-1; and

**WHEREAS**, in accordance with N.J.S.A. 40A:14-118 and Town of Clinton Code Section 18-5, the Mayor and Council of the Town of Clinton may make, amend, or revoke the rules and regulations of the Department; and

**WHEREAS**, the Town Council believes that the adoption of the attached Amendments to the Rules and Regulations of the Department are in the best interest of the Town.

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

1. The Amendments to the Rules and Regulations of the Town of Clinton Police Department dated November 2023 and attached hereto be and hereby are accepted and adopted by the Town Council.
2. All rules and regulations previously issued, and policies and procedures that are contrary to the rules contained herein, are hereby revoked. All other policies and procedures shall remain in force.
3. This Resolution shall take effect immediately.

Vote all ayes  
Motion carried

**INTRODUCTION OF ORDINANCE #23-26 – CREATION OF POSITION IN POLICE DEPT.**

A motion was made by Mr. Kashwick, seconded by Ms. Johnson, to introduce Ordinance #23-26 on first reading as submitted:

**ORDINANCE # 23-26**

**AN ORDINANCE CREATING THE POSITION OF CORPORAL WITHIN THE TOWN OF CLINTON POLICE DEPARTMENT**

**WHEREAS**, the Mayor and Council of the Town of Clinton desires to create the position of corporal within the Town of Clinton Police Department; and

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

**SECTION 1.** Section 18-9 of the Code of the Town of Clinton is renamed “Chief of Police; Sergeant; Corporal.”

**SECTION 2.** Section 18-9 of the Code of the Town of Clinton is amended by adding subsection (c), entitled “Corporal,” as follows:

C. Corporal of Police

(1) The Council may appoint one (1) Corporal of Police, who shall perform such duties as from time to time are prescribed and set forth in the police rules and regulations as promulgated under § 18-5. The Council shall not permanently appoint any officer to the position of Corporal of Police until they have served for at least one year as a Probationary Corporal of Police and until:

(a) They have been recommended to the position by the Chief of Police or Director of Law and Public Safety; and

(b) Their performance has been fully and completely evaluated by the Police Committee, and the Police Committee has recommended their permanent appointment to the Town Council. The evaluation may include performance testing, psychological testing, personal interviews, and such other techniques as may be appropriate within the discretion of the Police Committee.

(2) Probationary Corporal of Police. The Town Council may appoint a Probationary Corporal of Police. They shall be appointed for a term of one year. The Town Council may reappoint them for an additional term of six months, but in no case shall their term as Probationary Corporal exceed 18 months.

(3) Supervision of Probationary Corporal of Police. A Probationary Corporal shall have the duties and responsibilities as prescribed in the police rules and regulations for a Corporal of Police, but they shall work under the close scrutiny and direction of the Chief of Police or Director of Law and Public Safety.

**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.

Vote all ayes

Motion carried

A copy of this Ordinance will be published in the Courier News edition of December 17, 2023. A public hearing will be held December 27, 2023.

**RESOLUTION #164-23 – APPROVAL OF MOA BETWEEN TOC AND PBA LOCAL 188**

A motion was made by Ms. Johnson, seconded by Mr. Traphagen, to adopt Resolution #164-23 as submitted:

**RESOLUTION # 164-23**

**RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING (MOA) BETWEEN THE TOWN OF CLINTON AND THE P.B.A. LOCAL 188**

WHEREAS, on April 13, 2022, the Mayor and Council of the Town of Clinton (Town) ratified the Collective Negotiations Agreement between the Town and the PBA Local 188 (PBA), having an effective term of January 1, 2022, through December 31, 2025, via Resolution #72-22; and

WHEREAS, the Mayor and Council intend to exercise their statutory authority under *N.J.S.A. 40A:14-118* to create the rank of Corporal, determine the number of Corporals that may be appointed and define the functions of that rank; and

WHEREAS, in anticipation of the creation of the rank of Corporal, the Town and PBA have negotiated and reached agreement on the following mandatorily-negotiable terms and conditions pertaining to the rank of Corporal,

IT IS HEREBY AGREED AS FOLLOWS:

1. The Recitals listed above are incorporated herein by reference.
2. Article 8, entitled “Salary and Wages” Section “A”, entitled “Base Salary”, shall be amended by creating a new Paragraph 13 as follows:

*13. When a Police Officer(s) is promoted to the rank of Corporal, a probationary period of twelve (12) months will be in effect.*

*Beginning on the date of promotion to the rank of Corporal, the Corporal shall receive a differential of \$4,500 per year in addition to the current year’s base salary for the appropriate Class on the Police Officer salary schedule. This \$4,500 per year shall be paid as an addition to the current year’s base salary and shall be included in the Officer’s pensionable salary. The differential shall be pro-rated in any calendar year in which the Corporal does not serve in that rank for the entire year. The Corporal’s base salary shall continue to be based on the Police Officer salary schedule, and the Corporal shall continue to advance on the Police Officer salary schedule in accordance with the provisions of Article VIII, Section A-6, with the \$4,500 annual differential then added to the base salary. The \$4,500 annual differential shall not be taken into account when calculating the 9% differential between PO First Class and the base salary of the rank of Sergeant.*

3. All other terms and conditions of the Collective Negotiations Agreement between the Town of Clinton and the P.B.A. Local 188 for the period January 1, 2022, through December 31, 2025, will remain unchanged and shall remain in full force and effect except as otherwise set forth herein.
4. This Agreement shall not be effective unless ratified by the PBA membership and approved by the Mayor and Council.
5. Once ratified, the terms of this Memorandum of Agreement shall be deemed incorporated into the parties' Collective Negotiations Agreement and be deemed a part thereof. Any and all disputes concerning this Memorandum of Agreement shall therefor be resolved through the grievance procedure set forth in the Collective Bargaining Agreement.

NOW THEREFORE BE IT RESOLVED, that the Town and PBA have agreed to sign and execute this MOA in accordance with the terms and conditions above.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Town of Clinton Chief Financial Officer and the PBA Local 188.

Vote all ayes  
Motion carried

#### **WATER REFUND**

Water Collector, Nancy Burgess, requested a refund in the amount of \$457.04 to the seller of 17A East Street and \$72.07 of 10 Wild Azalea Court. Motion made by Mr. Perloff, seconded by Mr. Traphagen, to grant the refunds as requested.

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

Vote all ayes  
Motion carried

#### **CORRESPONDENCE - NONE**

#### **REPORTS OF COUNCIL**

##### **Chief Kubinak**

Announced 2023 Shop with a Cop Event is now taking place. Officer Melissa Tornberg is canvassing donations and will be doing the shopping with other municipal police departments of Hunterdon PBA 188. Folks can donate through <https://gofund.me/2d2b2ab6>

##### **Kathy Olsen, CFO**

Tax Sale was held December 6, 2023, sold four properties to outside lien holders for outstanding balances on water and sewer.

##### **Councilman Perloff**

1. Water Committee meeting next week.
2. Recreation Committee prepping for the bonfire, January 27, 2024. Committee is working through budgeting at this time.

3. Economic Development is also re-capping their budget and expect to get approval to use their PI, and to proceed with preparing a post card design to be mailed out to businesses to ask if they would like to be included on the Economic Development page on the website. Mr. Perloff is awaiting feedback from the various council liaisons and committees.
4. Clinton Guild – Candlelight Night Thursday, December 14. Bags will be prepared starting 8am tomorrow morning, meeting at the ReMax office.  
Santa Workshop on Saturday on the patio. Winter Festival, January 28.
5. Insurance Committee will meet on Monday and are working on new policies and process for special event vendors.
6. The Friendly Son’s of St. Patrick named Steve Carroll the 2024 Grand Marshall and Brian Manning Irishman of the Year! The new pins are out for 2024 with the Hunterdon Art Museum on them.

**Councilman Kashwick**

Shade Tree – all 35 trees have been planted in King’s Crossing area and have been inspected by DEP so we are now eligible to apply for grant reimbursement.

Green Team - attended Sustainable Jersey webinar on grants that are available. Working on a project to apply for, deadline is February 9, 2024.

Christmas lights recycling collection, first drop off has ended and a second will begin after the new year. Bin will be on the front porch of the municipal building.

Environmental Commission – previous discussions of invasive aquatic species in the river. Mary Jo Kurtiak had discussions with Raritan Headwaters and plan to set up water chestnut clean up sometime in the Spring or early Summer.

**Councilwoman Johnson**

Gave report earlier this evening discussing the Green Acres Grant.

**Councilman Traphagen**

Rescue Squad – elected new officers to leadership positions. 345 calls for November.

Historic Commission – the new Welcome to Clinton signs should be erected soon.

Plaques for Historic Homes will soon be available for purchase. The Commission found a Vendor locally in Pittstown and very affordable. This is something that has been talked about for years! It will be so nice to have the year of being built mounted on homes.

**Councilwoman Padmos**

1. Communications - have been actively working on securing a contract with Hometown Press. However, we have encountered some challenges along the way. Despite these issues, we remain hopeful that they will be resolved and we can successfully secure the contract. We will be working on a digital January issue, also will be asking people to opt in so they will get the email blast from the town.

2. Buildings and Grounds - Bob Clerico updated us with the New Street project - he reached out to the Gas Company about plans for the sidewalk.

Additionally, we are addressing drain issues on Leigh Street near the school. Art Dysart, Water Superintendent, noticed a crushed pipe in that area, and we are taking steps to rectify the situation.

Brightspeed dug up Riverside. As a result, they will be providing us with another check to cover the repair costs in the spring.

We received a letter from a resident regarding the repair of a driveway apron at 2 Halstead. After careful consideration, we determined that the responsibility for the repair lies with the homeowners.

Prevention resources asked to place a bench on municipal property to raise awareness about opioid use. We all agreed this was ok - Additionally, Karl and I will be distributing Narcan to local businesses.

We received two requests for indoor pickleball. During our discussion, we talked about the possibility of taping the courts, community center rentals, purchasing indoor nets and establishing a reservation system. Furthermore, we explored the idea of updating our website to better manage these activities.

John Bohnel attended our meeting to address concerns about speeding on Center Street. The consensus was in favor of installing a speed sign on Center Street. I volunteered to meet with John and the residents of Center Street to further discuss their concerns.

EDC - Discussed plans for the upcoming year. We explored the possibility of purchasing the domain "[fallinlovewithclinton.com](https://fallinlovewithclinton.com)" and establishing an Instagram presence. Additionally, we discussed the need for releases for videos posted on the government website.

We plan to bring the information about wayfinding signage to Council. Also we are looking at the cost of purchasing the additional seasonal logos.

Councilman Perloff is working on a mailing to all businesses asking them if they would like to be listed on the EDC page of our website.

Playground - We are excited to announce that the playground will be receiving a significant gift next week - so stay tuned! Also Councilwoman Johnson and I have been working on the Green Acres Grant and we are on track to meet all of the required elements in time to have it submitted on time and maybe a little bit early.

### **Councilman Bruno**

1. Clinton Fire Department held their annual dinner last Saturday night at Beaver Brook Country Club recognizing top responders for 2023: Chief Hedden 244 calls; Tim Langston 230; Jack Daniels 220; Jason Mayer 199; Jeff Hedden Jr. 137 calls. Service awards given and the Tim Hagan award to Tanner Rogers. Man of the Evening was Bill Langston with 50 years of volunteerism with the Clinton Fire Department.

The annual fund raiser for the fire department is the Bonfire, unfortunately, the Governor vetoed the burning of Christmas trees, but the event will go on with the burning of pallets.



2. Building and Grounds – Prevention Resources delivering the “broken opioid bench” this week. It will be placed in front of the municipal building facing Leigh Street. It is to draw attention to the opioid problem and the bench will remain until the end of December and will then go to another municipality.

Veteran’s banners on Main Street will be taken down soon. Numerous requests have come in for additional banners. The banners recognize Veteran’s from Clinton or associated with Clinton. Additional banners will be ordered and will be erected in the Spring.

Brightspeed was issued a summons for work on Riverside Drive, repairs will be made in the Spring.

The Route 173 project is still in the works, soon to be completed.

The request for indoor pickle ball courts was discussed and insurance policies continues to be addressed.

Resident on Center Street asking for speed bumps attended the B&G meeting. There will be no speed bumps installed but an electronic sign will be installed on Center Street once purchased.

#### **STANDBY AND OVERTIME**

A motion was made by Mr. Traphagen seconded by Ms. Johnson to approve the standby and overtime attached to these minutes for the period of November 24 through December 7, 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. Kashwick seconded by Ms. Padmos 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

#### **ADJOURNMENT**

There being no further business, a motion was made by Ms. Johnson, seconded by Ms. Padmos to adjourn the meeting at 8:40 p.m.

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Cecilia Covino, RMC/CMC  
Municipal Clerk

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Janice Kovach, Mayor