

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. Johnson to approve the minutes of the Council Meeting of February 22, 2023 and the Budget Meeting of February 23, 2023 as submitted.

Vote all ayes
Motion carried

APPROVAL OF MONTHLY REPORTS

A motion was made by Mr. Traphagen seconded by Ms. Padmos to accept the monthly department reports for the month of February as submitted.

Vote all ayes
Motion carried

PUBLIC COMMENTS – NONE

MAYOR'S COMMENTS

1. Thank you to everyone who joined the 10th Anniversary Ribbon Cutting at Fourchette on Sunday, March 4th! Definitely an epic celebration! Wishing Meredith and Brahim many more successful years ahead!
2. Mayor Kovach enjoyed visiting the school children for Read Across America with Ms. Rudd, the Kindergarten teacher! Reading in PJ'S! Fun!
3. Spoke with an engineering class at NJIT regarding the rolls of engineers in small municipalities.

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4. Attended Governor Murphy's budget address and invited Logan and Tristin Brkich. They were very excited to attend and following the address met the Governor and got a photo taken with him at the reception. Mayor Kovach gave updates on the highlights of the address including COMPTRA tax receipts and increase to the senior freeze for families making less than \$150,000.
5. Clinton has been awarded Discretionary Aid for the New Street project and under the Route 78 overpass sidewalk on Leigh Street.
6. Mayor Kovach asked for a motion to appoint Jonathan Donath to the Playground Committee. A motion was made by Ms. Padmos, seconded by Ms. Johnson to appoint Mr. Donath to the Committee.

Vote all ayes
Motion carried

RESOLUTION #63-23 – ADOPTING AFFORDABILITY ASSISTANCE MANUAL

A motion was made by Mr. Perloff, seconded by Mr. Kashwick, to adopt Resolution #63-23 as submitted:

RESOLUTION NO. 63-23

RESOLUTION ADOPTING AFFORDABILITY ASSISTANCE MANUAL FOR THE TOWN OF CLINTON

WHEREAS, in accordance with the Fair Housing Act and the New Jersey Uniform Housing Affordability Controls (N.J.A.C. 5:80-26-1, et seq.), the Town of Clinton is required to adopt all program operating manuals, which set forth the procedures for administering the programs and their associated affordability controls for affordable housing units created within the Town of Clinton; and

WHEREAS, the Town of Clinton Planner and the Town of Clinton Mayor and Council reviewed and supports the proposed Affordability Assistance Manual, a copy of which is attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED, by the Town of Clinton Mayor and Council, County of Hunterdon, State of New Jersey, that the Town does hereby authorize and adopt the Affordability Assistance Manual, subject to final approval as to form by the Borough Planner and Attorney:

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Vote all ayes
Motion carried

RESOLUTION #64-23 – OPIOID LITIGATION SETTLEMENTS

A motion was made by Mr. Kashwick, seconded by Mr. Bruno, to adopt Resolution #64-23 as submitted:

RESOLUTION # 64-23

RESOLUTION AUTHORIZING THE EXECUTION OF DOCUMENTS NECESSARY TO PARTICIPATE IN NATIONAL OPIOID LITIGATION SETTLEMENTS WITH TEVA, ALLERGAN, CVS, WALGREENS, AND WALMART

WHEREAS, the Town of Clinton (the "Town") received paperwork notifying it that it is eligible to participate in settlements of the national opioid lawsuits against Teva, CVS, Walgreens, and Walmart; and

WHEREAS, the law firm handling such lawsuits, Tate Law Group, has advised that such participation does not require the Town to pay any legal fees or other costs.

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 Town Attorney are hereby authorized to execute any documents necessary to participate in settlements of the national opioid lawsuits against Teva, CVS, Walgreens, and Walmart.
2. This Resolution is not intended to authorize the expenditure of any legal fees or other costs.
3. This Resolution shall take effect immediately.

Vote all ayes
Motion carried

Councilman Kashwick asked what this suit can result in? Mayor Kovach, Councilwoman Johnson and Attorney St. Angelo explained this was brought to the attention of officials by lawyers of the Tate Law Group at the 2018 League of Municipalities Convention. It is a class action suit of the national opioid lawsuits against Teva, CVS, Walgreens and Walmart. Towns will not be required to pay any legal fees or other costs. The Town joined the suit at that time and it continues to be addressed. The end result will be a large amount of money to be paid out over time. At this time, \$6,000 has been received by the Town of Clinton. There are guidelines as to how the monies can be spent, funds are to be used for education against opioid addictions and drugs prevention.

RESOLUTION #65-23 – CLOSE OUT OF 150TH ACCOUNT

A motion was made by Mr. Perloff, seconded by Mr. Kashwick, to adopt Resolution #65-23 as submitted:

RESOLUTION #65-23

WHEREAS, the Town of Clinton opened up a trust bank account in 2015 known as the 150th Anniversary Celebration Account;

WHEREAS, the Town of Clinton 150th Anniversary Celebration is complete and there remains funds in the amount of \$242.37 in the account;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Clinton, to authorize the Chief Financial Officer to close the 150th Anniversary Celebration Account and deposit the \$242.37 in the Town of Clinton Current Account as Miscellaneous Revenue.

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

Vote all ayes
Motion carried

RESOLUTION #66-23 – MUNICIPAL USE – WELCOME TO CLINTON SIGN

A motion was made by Mr. Bruno, seconded by Mr. Traphagen, to adopt Resolution #66-23 as submitted:

RESOLUTION #66-23

RESOLUTION ACKNOWLEDGING MUNICIPAL USE OF A PORTION OF BLOCK 6, LOT 1.01.

WHEREAS, pursuant to Ordinance No. 23-01 adopted on February 8, 2023 (the "Ordinance"), the Mayor and Council of the Town of Clinton, County of Hunterdon, State of New Jersey, accepted an easement (the "Easement") for a portion of Block 6, Lot 1.01 (more commonly known as 82 W. Main Street) located in the Town of Clinton, Hunterdon County (the "Property") for the purposes of access to maintain a sign stating "Welcome to the Town of Clinton" (the "Welcome Sign"); and

WHEREAS, it is the understanding of the Town Council that due to the location of an existing utility pole, the Welcome Sign was placed within the required setbacks from the public roadway; and

WHEREAS, the Town Engineer reviewed the placement of the sign and has determined that its proximity to the roadway does not pose a traffic or safety hazard; and

WHEREAS, as a result of the Town's acceptance of maintenance responsibilities pursuant to the Ordinance and Easement, the Welcome Sign constitutes a municipal use; and

WHEREAS, municipal uses are exempt from zoning regulations pursuant to Thornton v. Vill. of Ridgewood, 17 N.J. 499 (1955); and

WHEREAS, as a result of the exemption of municipal uses from zoning regulations, the placement of the Welcome Sign does not require a variance from the setback requirements for signs set forth in Section 88-64(C) of the Town Code.

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

1. The Town of Clinton hereby acknowledges that the Welcome to Clinton sign located on Block 6, Lot 1.01 is a municipal use that is exempt from zoning requirements, including the setback requirements for signs set forth in Section 88-64(C) of the Town Code.

2. This Resolution shall take effect immediately after final passage, approval and publication as provided by law.

Vote all ayes
Motion carried

RESOLUTION #67-23 – AUTHORIZATION TO SIGN TWA APPROVAL

A motion was made by Ms. Johnson, seconded by Mr. Kashwick to adopt Resolution #67-23 as submitted:

RESOLUTION #67-23

RESOLUTION AUTHORIZING THE ADMINISTRATOR TO EXECUTE THE STATEMENTS OF CONSENT TO SUPPORT THE SUBMISSION OF THE TREATMENT WORKS APPROVAL APPLICATION TO THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION WITH REGARDS TO 13 MOEBUS PLACE, CLINTON, NJ 08809 (PULEO INTERNATIONAL, INC.) – TOWN OF CLINTON BLOCK5, LOT 18

WHEREAS, there is a need by the Puleo International, Inc. to apply for Treatment Works Approval from the State of New Jersey Department of Environmental Protection Division of Water Quality in connection

with the sanitary sewer main extension required for their warehouse construction project in the Town of Clinton (the "Project"); and

WHEREAS, the Town of Clinton, as owner/operator of the Waste Water Treatment Facility, is required to consent to the filing of the Treatment Works Approval Permit Application for the Project.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Clinton that the Administrator is authorized to sign for the Governing Body at appropriate locations on the NJDEP WQM-003 Statements of Consent Form for the Treatment Works Approval Permit Application to be filed in connection with for the Project.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be sent to Puleo International, Inc.

Vote all ayes
Motion carried

RESOLUTION # 68-23 – HIRING OF CROSSING GUARD

A motion was made by Ms. Padmos, seconded by Mr. Bruno, to adopt Resolution #68-23 as submitted:

RESOLUTION # 68-23

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

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

WHEREAS, the Chief of Police recommends that the following person be hired to fill the open position at a rate of \$20.00 per hour;

Carol Cornell

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Clinton hire Carol Cornell to fill the open position of Crossing Guard effective March 8, 2023.

Vote all ayes
Motion carried

INTRODUCTION OF ORDINANCE #23-06 – ENFORCEMENT OF TRAFFIC REGULATIONS

A motion was made by Mr. Traphagen, seconded by Ms. Johnson, to introduce Ordinance #23-06 as submitted:

**ORDINANCE NO. 23-06
TOWN OF CLINTON, HUNTERDON COUNTY**

ORDINANCE AUTHORIZING ENFORCEMENT OF TRAFFIC REGULATIONS UPON THE PRIVATE OR SEMI-PUBLIC ROADWAYS AND PARKING AREAS WITHIN BLOCK 3, LOT 2 (111 W. MAIN STREET)

WHEREAS, the Land Use Board granted final major approval to Tejomaya, LLC (the "Developer") pursuant to a Resolution adopted on November 2, 2021 (the "Resolution") to develop Block 3, Lot 2 (the "Property") as a assisted living facility with memory care and adult day health care components;

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WHEREAS, the Developer and the Town of Clinton (the "Town") entered into a Developer's Agreement (The "Agreement") dated February 9, 2023 pertaining to the development of the Property; and

WHEREAS, a condition of the Resolution and the Agreement requires traffic enforcement be authorized upon the private or semi-public roadways and parking areas of the Property; and

WHEREAS, by email correspondence dated February 24, 2023, the Chief of the Town of Clinton Police Department recommended the application of the Title 39 to the property.

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

1. Pursuant to N.J.S.A. 39:5A-1, all applicable traffic and parking regulations provided for under Subtitle 1 of Title 39 of the Revised Statutes of the State of New Jersey shall be enforced by the Town of Clinton's Police Department upon the private or semi-public roadways and parking areas within the boundaries of the property identified as Block 3, Lot 2 on the official tax map of the Town of Clinton.
2. All signs, posts or other necessary materials utilized for traffic and parking control shall be installed and maintained exclusively by the owners and/or operators of the lot identified as Block 3, Lot 2 on the official tax map of the Town of Clinton and conform with the current Manual on Uniform Traffic Control Devices pursuant to N.J.S.A. 39:4-198 and N.J.S.A. 39:4-183.27.
3. Any article, section, paragraph, subsection, clause, or other provision of the Code of the Town of Clinton inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.
4. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.
5. This ordinance shall take effect upon its passage and publication and filing with the Hunterdon County Planning Board, and as otherwise provided for by law.

Vote all ayes
Motion carried

A copy of this ordinance will be published in the Hunterdon Review edition of March 15, 2023. A public hearing will be held April 12, 2023.

INTRODUCTION OF ORDINANCE #23-07 – PURCHASE OF A FIRE TRUCK

A motion was made by Mr. Bruno, seconded by Ms. Johnson, to introduce Ordinance #23-07 on first reading as submitted:

ORDINANCE # 23-07

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PUMPER FIRE APPARATUS IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$1,156,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,076,000 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 is hereby authorized to be undertaken by the Town of Clinton, in the County of Hunterdon, New Jersey (the "Town") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$1,156,000, including the sum of \$80,000 as the down payment required by the Local Bond Law from the Capital Improvement Reserve for Fire Equipment. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,076,000 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 hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of pumper fire apparatus, including all related costs and expenses incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

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 are permitted to 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) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a general

improvement, and 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 5 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 \$1,076,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$100,000 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.

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(a) 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 Courier News edition of March 12, 2023. A public hearing will be held March 22, 2023.

REFUND OF HOUSING/INSURANCE FEE

Allison Witt is requesting a refund be issued in the amount of \$15.00. The owner over paid the amount due for the Housing/Insurance fee in error.

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

Vote all ayes
Motion carried

BANNER REQUESTS

Banner requests have been received as follows:

Friends of the Hunterdon County Libraries – Annual Book Sale – April 3 – 10, 2023
Immaculate Conception Parish Festival – June 19 – 26, 2023

A motion was made by Mr. Kashwick, seconded by Mr. Perloff, to approve the banner dates requested.

Vote all ayes
Motion carried

CORRESPONDENCE - NONE

REPORTS OF COUNCIL

Councilman Perloff

Recreation – Egg Hunt, March 31. Vintage Games returning to Gebhardt Field. Rec member, Tony DiFabio, will be donating vintage baseball cards.

Clinton Guild meeting tomorrow, March 9, and invited Rich Phelan to attend to engage with business leaders in Town and assure them that they have support of Town officials.

The Frame will be set up for photos during the weekend of Run O'the Mill and the St. Patrick's Day Parade. LOGO tattoos will be handed out.

Insurance Committee scheduling a meeting to discuss insurance coverage for events requesting to come to Town.

Councilman Kashwick

Environmental Commission – April 15 is the River Clean Up. Sustainable Jersey application is due May 12. Questions pertain to both Environmental Commission and Shade Tree, therefore a joint meeting is being requested to complete the application. Advertisement will be necessary. Shade Tree is meeting next week and trees behind Pond Ridge will be addressed. Councilman Kashwick also commented on the trees in the Knolls, residents are concerned with the several dead ash trees in the neighborhood. Mayor Kovach asked for an inventory of the trees and prioritizing them, absolutely dead, 2-5 year life span; 5+ years.

Attorney St. Angelo

Attorney St. Angelo said a presentation will be made at the next meeting of a class action law suit that is forming among municipalities across the United States. Attorney St. Angelo and Mr. Phelan were included in a conference call with lawyers regarding EPA and DEP proposal of regulating PFAS and PFOS, a chemical in the water. The Town of Clinton does regular testing and levels are very low and our testing is helpful in determining levels.

Councilwoman Johnson

School Board – new member Don Brkich was sworn in.
Volleyball game – March 29th – 8th graders vs Community at 5:30 p.m.

Summer Rec is over capacity! Counselors are still needed.

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Park Committee is finalizing equipment purchases with the vendors and will be looking at park renderings. Committee should have numbers by March 22 and then will come to council with plans.

Councilman Bruno

Clinton Fire Department - Councilman Bruno thanked council for introducing the ordinance this evening to purchase the new fire truck. A few options had to be eliminated but will be ordered on time. The parking lot lease will expire December 31, 2023, a copy is requested to be sent over to Tim Vanselous. Grill Nights will be returned soon!

Buildings and Grounds looking at trees on Water Street, Rachel Court and Pond Ridge and trying to determine which are State trees, Town trees or private trees.

The clock on Main Street is not working and is very expensive to fix.

Land Use Board will meet March 21 to begin the Moebus Tract application. This will continue for many hearings. The hearings will be on ZOOM and people can send concerns or opinions in writing.

Councilman Traphagen

Sewer Committee will meet next week.

South Branch Emergency Services had 24 calls in February, 620 YTD, 69 were in the Town of Clinton. Councilman Traphagen was invited by the Squad for a "ride along" to respond on a trauma call. It was quite an experience and truly grateful for the opportunity and thankful for the dedicated volunteers and for all they do.

Councilwoman Padmos

Booster Club is planning another fun event, save the date, June 10, 2023 at Hunts Mill Park for an adult kickball tournament. Food trucks and possibly adult beverages may be available.

Mayor Kovach said Shop Rite is offering a free food truck for an event from May to September, it must be applied for. Mayor Kovach will forward the information to Ms. Padmos.

Economic Development Committee had Amy DeVita attend the last meeting and she offered some great ideas! Committee is asking for her formal appointment to the committee at the next meeting.

STANDBY AND OVERTIME

A motion was made by Ms. Johnson, seconded by Mr. Bruno to approve the standby and overtime attached to these minutes for the period of February 17 through March 2, 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. Kashwick 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 #69-23 – EXECUTIVE SESSION

A motion was made by Mr. Traphagen, seconded by Ms. Johnson, to enter into executive session to discuss a matter of pending litigation at 8:15 p.m. No action will be taken.

RESOLUTION # 69-23

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 insure 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 purpose, 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 is: _____)

OR _____ the public disclosure of such information at this time would have a potentially negative impact on the municipality's position in the

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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.)

_____ 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: _____)

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

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 and there being no further business, a motion was made by Ms. Johnson seconded by Mr. Perloff to adjourn the meeting at 8:53 p.m.

Cecilia Covino, RMC/CMC
Municipal Clerk

Janice Kovach, Mayor