

Flag Salute.

Roll Call: Bruno, Dineen, Humphrey, Johnson, 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.”

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. Traphagen seconded by Ms. Johnson, to approve the minutes of February 23, 2022 as submitted.

Vote all ayes
Motion carried

APPROVAL OF MONTHLY REPORTS

A motion was made by Ms. Dineen, seconded by Mr. Traphagen, to approve the monthly reports for the month of February as submitted.

Vote all ayes
Motion carried

PUBLIC COMMENTS – NONE

MAYOR’S COMMENTS

1. Mayor Kovach attended the Governor’s budget address in Trenton and an email will be sent out from the Governor’s office highlighting many topics such as pension, education for K-12, affordable housing security, economic growth, New Jersey health and Safety, transportation and infrastructure and mental health.

2. Come out on St. Patrick's Day to the Pattenburg House on Route 614 in Union Township! Join in the fun as Union Township Mayor David DeGiralomo and Mayor Kovach will be tending bar to raise money for the Woodlands Wildlife Refuge! Mayors have discussed joining forces in future fund raising for non profits, next will be held in Clinton! Stay tuned!
3. Busy weekend in Clinton, Saturday, March 12 will be the annual Run O'The Mill and Sunday is the St. Patrick's Day Parade at 3:00 p.m. The after party at the Red Mill promises to be a fun event as well! Saturday and Sunday come out and support local businesses with the "Pot of Gold" event!

CASA PRESENTATION

Tracey L. Heisler, MC, Executive Director for CASA of Somerset, Hunterdon and Warren Counties, Inc. attended the meeting to make a presentation on behalf of the organization, Court Appointed Special Advocates (CASA) for children. Ms. Heisler gave an overview of the work CASA advocates do for the 150 kids under their supervision at this time. The advocates are representatives for the children who are victims of abuse and neglect and are placed in foster homes of caring families. The advocates are fact finders for the judges and remain with the children as long as needed, they are constant in the lives of the children. There is 30 hour pre-service training for the advocates as they learn to be aware of biases and no discrimination is made. They offer school supplies, and unmet needs as well as tutoring for these children. Donations are gratefully accepted in the form of diapers, wipes, bank and gift cards even gas cards help enormously! Ms. Heisler was very thankful to the Mayor and Council for the opportunity to make the presentation.

NJ NUGS DISPENSARY PRESENTATION

Mayor Kovach had an email message on the website prior to this evening's presentation stating that a Hunterdon County resident is interested in opening a dispensary but reminds residents that the Town has **OPTED OUT** to all licenses. **NO** action will be taken at this meeting.

Mihir Patel (co-founder) of NJ Nugs Dispensary, wished to come before Council to present a "Clinton Community Business Proposal". Mr. Patel gave a brief background of his education and that of his wife. Phillip Chen is Mr. Patel's special advisor and explained the multiple aspects of the medical marijuana industry including growing, manufacturing, distribution and retail Mr. Chen has experience in. The main idea and plan is to have a craft cannabis dispensary that will operate as a NJ Cannabis Microbusiness to offer high-quality boutique product similar to Craft Beer at a Microbrewery. Mr. Patel's focus is on the abandoned bank at 92 West Main Street and to have EV charging stations in the rear parking lot. Mr. Patel was very thorough regarding heightened security and safety issues, social impact and environmental impact for the community. Several questions and answers were exchanged with Council and Mr. Patel as well as audience.

ECONOMIC DEVELOPMENT COMMISSION

John Creech, Chair of the Commission and Elizabeth Halpin, active member, attended this evening to briefly explain that much work has been prepared and a "blue print" of Clinton will be made at the March 23, 2022 meeting. The commission has applied to the Highlands for a grant that will cover a firm to do the study for the Town and come up with recommendations for Council and the community to review. The firm will present the study and it will be discussed at the March 23 meeting, however, the findings will be presented to Council for their review prior to the meeting so they may have questions prepared for the meeting. Various officials and dignitaries have been invited to attend.

RESOLUTION #59-22 - I-BANK LOAN – WWTP

A motion was made by Mr. Humphrey, seconded by Ms. Johnson, to adopt Resolution #59-22 as submitted:

**RESOLUTION #59-22
RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING
\$3,889,400 BONDS OF THE TOWN OF CLINTON,
IN THE COUNTY OF HUNTERDON, NEW JERSEY, AND PROVIDING FOR THEIR SALE TO
THE NEW JERSEY INFRASTRUCTURE BANK
AND THE STATE OF NEW JERSEY AND FURTHER AUTHORIZING THE EXECUTION OF VARIOUS
AGREEMENTS, ALL
PURSUANT TO AND AS REQUIRED BY THE NEW JERSEY WATER BANK**

WHEREAS, the Town of Clinton, in the County of Hunterdon, New Jersey (the "Local Unit"), has determined that there exists a need within the Local Unit to acquire, construct, renovate or install a project consisting of the Local Unit's filter and residuals building improvement project for the Wastewater Treatment Plant, including, but not limited to, cleaning and mobilization and final cleanup of the site, building related improvements, improvements to the electrical/HVAC systems and other electrical and mechanical related improvements and the removal and replacement of the sludge belt press, screen filters, belt conveyors and other equipment, including all work and materials necessary therefor and incidental thereto and further including all planning and design, engineering, administrative and other related costs incidental thereto (the "Project") as defined in each of that certain Loan Agreement (the "I-Bank Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Infrastructure Bank (the "I-Bank") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the I-Bank Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the State Fiscal Year 2022 New Jersey Water Bank (the "Program");

WHEREAS, the Local Unit has determined to finance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the I-Bank (the "I-Bank Loan") and the State (the "Fund Loan", and together with the I-Bank Loan, the "Loans") pursuant to the I-Bank Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the I-Bank and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's Bonds, Series 2022, to the I-Bank (the "I-Bank Loan Bond") and Bonds, Series 2022, to the State (the "Fund Loan Bond", and together with the I-Bank Loan Bond, the "Local Unit Bonds"), said Local Unit Bonds to be issued in an aggregate principal amount not to exceed \$3,889,400, pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements;

WHEREAS, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the I-Bank Loan Bond and the Fund Loan Bond to the I-Bank and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the I-Bank Loan Bond to the I-Bank without any public offering, all under the terms and conditions set forth herein;

WHEREAS, the I-Bank and the State have expressed their desire to close in escrow the making of the Loans, the issuance of the Local Unit Bonds and the execution and delivery of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the "Escrow Agreement") to be entered into by and among the I-Bank, the State, the Local Unit and the escrow agent named therein.

NOW, THEREFORE, BE IT RESOLVED by a 2/3 vote of the full membership of the governing body of the Local Unit as follows:

Section 1. The I-Bank Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Local Unit by either the Mayor or the Chief Financial Officer in substantially the forms on file with the Clerk, with such

changes as the Mayor or the Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit (collectively, the "Local Unit Consultants") and after further consultation with the I-Bank, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Local Unit Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Local Unit Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Local Unit as determined hereunder and to affix the corporate seal of the Local Unit to such Financing Documents.

Section 2. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Local Unit Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 3. In accordance with N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Local Unit hereby sells and awards its I-Bank Loan Bond to the I-Bank and its Fund Loan Bond to the State, in a total aggregate principal amount not to exceed \$3,889,400, all in accordance with the provisions hereof. The Local Unit Bonds have been referred to and are described in bond ordinance #19-13 entitled "Bond Ordinance Providing the Filter and Residuals Building Improvement Project for the Wastewater Treatment Plant in and by the Town of Clinton, in the County of Hunterdon, New Jersey, Appropriating \$3,389,400 Therefor and Authorizing the Issuance of \$3,389,400 Bonds or Notes of the Town to Finance the Cost Thereof" as supplemented by bond ordinance #20-09, entitled "Bond Ordinance Providing a Supplemental Appropriation of \$500,000 for the Filter and Residuals Building Improvement Project for the Wastewater Treatment Plant in and by the Town of Clinton, in the County of Hunterdon, New Jersey, and Authorizing the Issuance of \$500,000 Bonds or Notes of the Town to Finance Part of the Cost Thereof". Each aforementioned bond ordinance was finally adopted by the Local Unit at meeting duly called and held on October 22, 2019 and March 25, 2020, respectively, at which times a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 4. The Chief Financial Officer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the I-Bank and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the I-Bank Loan Bond and the Fund Loan Bond:

- (a) The aggregate principal amounts of the I-Bank Loan Bond and the Fund Loan Bond to be issued;
- (b) The maturity and annual principal installments of the Local Unit Bonds, which maturity shall not exceed 15 years;
- (c) The date of the Local Unit Bonds;
- (d) The interest rates of the Local Unit Bonds;
- (e) The purchase price for the Local Unit Bonds; and
- (f) The terms and conditions under which the Local Unit Bonds shall be subject to redemption prior to their stated maturities.

Section 5. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Local Unit Bonds by the parties authorized under Section 6(c) hereof.

Section 6. The Local Unit hereby determines that certain terms of the Local Unit Bonds shall be as follows:

- (a) The I-Bank Loan Bond shall be issued in a single denomination and shall be numbered R-1. The Fund Loan Bond shall be issued in a single denomination and shall be numbered R-2;
- (b) The Local Unit Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Local Unit Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

Section 7. The I-Bank Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the I-Bank Loan Agreement and the Fund Loan Agreement, respectively.

Section 8. The law firm of McManimon, Scotland & Baumann, LLC is hereby authorized to arrange for the printing of the Local Unit Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the I-Bank and the State for the Program, to arrange for same. The Local Unit auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Local Unit Bonds. The Mayor, the Chief Financial Officer and the Local Unit Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information.

Section 9. The Mayor and the Chief Financial Officer are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Local Unit Bonds, and are further authorized to deliver same to the I-Bank and the State upon delivery of the Local Unit Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

Section 10. This resolution shall take effect immediately.

Section 11. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to McManimon, Scotland & Baumann, LLC, bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-Bank.

ROLL CALL: AYES: Bruno, Dineen, Humphrey, Johnson, Perloff, Traphagen, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #60-22 – I-BANK LOAN VALVE AND WATER METER REPLACEMENT

A motion was made by Ms. Dineen, seconded by Mr. Perloff, to adopt Resolution #60-22 as submitted:

RESOLUTION #60-22

**RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING
\$3,200,000 BONDS OF THE TOWN OF CLINTON,
IN THE COUNTY OF HUNTERDON, NEW JERSEY, AND PROVIDING FOR THEIR SALE TO
THE NEW JERSEY INFRASTRUCTURE BANK
AND THE STATE OF NEW JERSEY AND FURTHER AUTHORIZING THE EXECUTION OF VARIOUS
AGREEMENTS, ALL
PURSUANT TO AND AS REQUIRED BY THE NEW JERSEY WATER BANK**

WHEREAS, the Town of Clinton, in the County of Hunterdon, New Jersey (the "Local Unit"), has determined that there exists a need within the Local Unit to acquire, construct, renovate or install a project consisting of Local Unit's valve and meter replacement in connection with the Water Quality Accountability Act, including the acquisition and installation of equipment and materials and work necessary therefor or related thereto (the "Project") as defined in each of that certain Loan Agreement (the "I-Bank Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Infrastructure Bank (the "I-Bank") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the I-Bank Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of

Environmental Protection (the "State"), all pursuant to the State Fiscal Year 2022 New Jersey Water Bank (the "Program");

WHEREAS, the Local Unit has determined to finance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the I-Bank (the "I-Bank Loan") and the State (the "Fund Loan", and together with the I-Bank Loan, the "Loans") pursuant to the I-Bank Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the I-Bank and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's Bonds, Series 2022, to the I-Bank (the "I-Bank Loan Bond") and Bonds, Series 2022, to the State (the "Fund Loan Bond", and together with the I-Bank Loan Bond, the "Local Unit Bonds"), said Local Unit Bonds to be issued in an aggregate principal amount not to exceed \$3,200,000, pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements;

WHEREAS, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the I-Bank Loan Bond and the Fund Loan Bond to the I-Bank and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the I-Bank Loan Bond to the I-Bank without any public offering, all under the terms and conditions set forth herein;

WHEREAS, the I-Bank and the State have expressed their desire to close in escrow the making of the Loans, the issuance of the Local Unit Bonds and the execution and delivery of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the "Escrow Agreement") to be entered into by and among the I-Bank, the State, the Local Unit and the escrow agent named therein.

NOW, THEREFORE, BE IT RESOLVED by a 2/3 vote of the full membership of the governing body of the Local Unit as follows:

Section 1. The I-Bank Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Local Unit by either the Mayor or the Chief Financial Officer in substantially the forms on file with the Clerk, with such changes as the Mayor or the Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit (collectively, the "Local Unit Consultants") and after further consultation with the I-Bank, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Local Unit Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Local Unit Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Local Unit as determined hereunder and to affix the corporate seal of the Local Unit to such Financing Documents.

Section 2. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Local Unit Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 3. In accordance with N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Local Unit hereby sells and awards its I-Bank Loan Bond to the I-Bank and its Fund Loan Bond to the State, in a total aggregate principal amount not to exceed \$3,200,000, all in accordance with the provisions hereof. The

Local Unit Bonds have been referred to and are described in bond ordinance #18-07, which bond ordinance is entitled "Bond Ordinance Providing for the Valve and Meter Replacement Project in Compliance with the Water Quality Accountability Act in and by the Town of Clinton, in the County of Hunterdon, New Jersey, Appropriating \$3,200,00 Thereof and Authorizing the Issuance of \$3,200,000 Bonds or Notes of the Town to Finance the Cost Thereof". The aforementioned ordinance was finally adopted by the Local Unit at a meeting duly called and held on July 10, 2018, at which times a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 4. The Chief Financial Officer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the I-Bank and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the I-Bank Loan Bond and the Fund Loan Bond:

- (a) The aggregate principal amounts of the I-Bank Loan Bond and the Fund Loan Bond to be issued;
- (b) The maturity and annual principal installments of the Local Unit Bonds, which maturity shall not exceed 20 years;
- (c) The date of the Local Unit Bonds;
- (d) The interest rates of the Local Unit Bonds;
- (e) The purchase price for the Local Unit Bonds; and
- (f) The terms and conditions under which the Local Unit Bonds shall be subject to redemption prior to their stated maturities.

Section 5. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Local Unit Bonds by the parties authorized under Section 6(c) hereof.

Section 6. The Local Unit hereby determines that certain terms of the Local Unit Bonds shall be as follows:

- (a) The I-Bank Loan Bond shall be issued in a single denomination and shall be numbered R-1. The Fund Loan Bond shall be issued in a single denomination and shall be numbered R-2;
- (b) The Local Unit Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Local Unit Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

Section 7. The I-Bank Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the I-Bank Loan Agreement and the Fund Loan Agreement, respectively.

Section 8. The law firm of McManimon, Scotland & Baumann, LLC is hereby authorized to arrange for the printing of the Local Unit Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the I-Bank and the State for the Program, to arrange for same. The Local Unit auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Local Unit Bonds. The Mayor, the Chief Financial Officer and the Local Unit Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information.

Section 9. The Mayor and the Chief Financial Officer are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Local Unit Bonds, and are further authorized to deliver same to the I-Bank and the State upon delivery of the Local Unit Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

Section 10. This resolution shall take effect immediately.

Section 11. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to McManimon, Scotland & Baumann, LLC, bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-Bank.

ROLL CALL: AYES: Bruno, Dineen, Humphrey, Johnson, Perloff, Traphagen, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #61-22 – MITIGATION PLAN UPDATE

A motion was made by Ms. Johnson, seconded by Mr. Humphrey, to adopt Resolution #61-22 accepting the latest updates for the mitigation plan submitted by Chief Kubinak.

RESOLUTION # 61 -22

**RESOLUTION AUTHORIZING THE ADOPTION OF THE 2021 HUNTERDON COUNTY,
NEW JERSEY HAZARD MITIGATION PLAN UPDATE**

WHEREAS, all jurisdictions within Hunterdon County have exposure to hazards that increase the risk to life, property, environment, and the County and local economy; and

WHEREAS; pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, The Disaster Mitigation Act of 2000 (Public Law 106-390m 44 C.F.R. §201.1 *et seq.*) established new requirements for pre- and post-disaster hazard mitigation programs; and

WHEREAS, a coalition of Hunterdon County municipalities (the “coalition”) with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Hunterdon County; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

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

- 1) The Town adopts in its entirety, the 2021 Hunterdon County Hazard Mitigation Plan Update (the “Plan”) as the jurisdiction’s Hazard Mitigation Plan and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
- 2) The Town will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3) The Town will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4) The Town will continue its support of the Mitigation Planning Committee as described within the Plan.
- 5) The Town will help to promote and support the mitigation successes of all participants in this Plan.

- 6) The Town will incorporate mitigation planning as an integral component of government and partner operations.
- 7) The Town will provide an update of the Plan in conjunction with the County of Hunterdon no less than every five years.

Vote all ayes
Motion carried

RESOLUTION #62-22 – OVERPAYMENT OF TAXES

A motion was made by Ms. Dineen, seconded by Ms. Johnson, to adopt Resolution #62-22 as submitted:

RESOLUTION # 62-22

WHEREAS, the Tax Collector of the Town of Clinton has received an overpayment for following block and lot,

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 the following account:

<u>BLOCK</u>	<u>LOT</u>	<u>OWNER</u>	<u>AMOUNT</u>
29.01	15	Mealey, Karen & Michael	\$3,144.50

BE IT FURTHER RESOLVED that the Tax Collector remove the overpayment on the above block and lot for the 1st quarter 2022.

ROLL CALL: AYES: Bruno, Dineen, Humphrey, Johnson, Perloff, Traphagen, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #63-22 – SUMMER RECREATION DIRECTOR

A motion was made by Ms. Johnson, seconded by Mr. Perloff, to adopt Resolution #63-22 as submitted:

RESOLUTION # 63-22
RESOLUTION APPOINTING SUMMER RECREATION DIRECTOR

WHEREAS, The Town of Clinton wishes to appoint a Summer Recreation Director; and

WHEREAS, the Town of Clinton has chosen Samantha Lestrage to fill this position;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Clinton hereby appoints Samantha Lestrage as the Summer Recreation Director at a salary of \$7,000.00 for the year 2022, effective March 10, 2022.

ROLL CALL: AYES: Bruno, Dineen, Humphrey, Johnson, Perloff, Traphagen, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #64-22 – SURPLUS PERSONAL PROPERTY TO SQUAD

A motion was made by Mr. Bruno, seconded by Mr. Traphagen, to adopt Resolution #64-22 as submitted:

**RESOLUTION 64-22
RESOLUTION AUTHORIZING THE SALE OF SURPLUS PERSONAL
PROPERTY TO SOUTH BRANCH EMERGENCY SERVICES**

WHEREAS, N.J.S.A. 40A:11-36 governs the disposition of Town-owned surplus personal property that is no longer needed for public use; and

WHEREAS, due to COVID, the Town was unable to hold a public auction for the sale of various items during the last two year, which has rendered several items unsuitable

WHEREAS, the South Branch Emergency Services has requested that the Town of Clinton donate certain Town-owned surplus personal property that is no longer needed for public use for training purposes; and

WHEREAS, pursuant to N.J.S.A. 40A:11-36 permits the Town to donate such property as requested; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Clinton, County of Hunterdon, State of New Jersey, have declared that the following surplus personal property of the Town be donated to South Branch Emergency Services:

- 2010 Ford Escape (VIN 1FMCU 5K3XA KB002 43)
- 1995 Ford Ranger (VIN 1FTCR 11AXS TA163 36)
- 2009 Ford F250(VIN 1FTNF 21LX3 EA320 20)
- 2006 Ford F450(VIN 1FDXF 47P06 EB922 61)
-

BE IT FURTHER RESOLVED that the Property will to donated in its “as is” condition, without any warranties by the Town, and on the condition that the Recipient shall hold the Town harmless for any claims arising out of the Property after the transfer to the Recipient.

BE IT FURTHER RESOLVED that the Mayor and Council hereby designate the Town’s Business Administrator, Richard Phelan, to execute any and all additional documents to effectively transfer title to the Recipient.

Vote all ayes
Motion carried

RESOLUTION #65-22 – PLAYGROUND GRANT

A motion was made by Mr. Humphrey, seconded by Ms. Johnson, to adopt Resolution #65-22 as submitted:

**RESOLUTION #65-22
AUTHORIZATION TO SUBMIT REQUEST FOR PROPOSAL (RFP) FOR
INCLUSIVE PLAYGROUND GRANT**

WHEREAS a grant exists through the Division of Disability Services, New Jersey Department of Human Services Inclusive Healthy Communities (IHC) Grant Program, and;

WHEREAS the Inclusive Healthy Communities Grant Program is an initiative designed to provide funding opportunities to communities and organizations in New Jersey to promote inclusive practices that support the health and well-being of individuals with disabilities in the communities where they live, and;

WHEREAS the grant is for \$150,000 and the deadline to apply is March 23, 2022;

NOW THEREFORE, BE IT RESOLVED, that authorization be granted to Councilwoman Johnson to pursue the grant which will help greatly for an inclusive playground transformation.

Vote all ayes
Motion carried

INTRODUCTION OF ORDINANCE #22-02 – AMENDING USES IN C-1 ZONE

A motion was made by Mr. Humphrey, seconded by Ms. Johnson, to introduce Ordinance #22-02 on first reading as submitted:

ORDINANCE #22-02

ORDINANCE AMENDING TOWN OF CLINTON CODE SECTION 88-53 TO PERMIT WINERY, BREWERY, AND DISTILLERY USES IN THE C-1 DOWNTOWN COMMERCIAL DISTRICT AND DELETING REFERENCES TO AFFORDABLE HOUSING

WHEREAS, amendments to N.J.S.A. 33:1-10.1 created the “limited brewery license,” which authorizes licensees to sell malt alcoholic beverages at retail to consumers on the licensed premises, but only in connection with a tour of the brewery; and

WHEREAS, the Town believes that the location of craft brewery and distillery and winery salerooms in the C-1 Downtown Commercial District would attract other retail outlets, increase pedestrian traffic, and serve as an economic engine to Clinton’s downtown; and

WHEREAS, Chapter 88, Article X, entitled “Affordable Housing Requirements” was amended on March 11, 2020 by Ordinance 2020-02 in compliance with the Town’s Housing Element and Fair Share Plan dated November 21, 2019 and adopted on December 3, 2019; and

WHEREAS, affordable housing requirements within the C-1 District are governed by the updated Chapter 88, Article X, therefore, subsection (E) of Section 88-53 regarding affordable housing can be deleted in its entirety; and

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

SECTION 1. Section 88-4 of the Code of the Town of Clinton, entitled “Definitions and Word Usage” shall be amended to add the following definitions:

BREW PUB

An establishment licensed as a restricted brewery by the State of New Jersey under N.J.S.A. 33:1-10, where malt alcoholic beverages are brewed and manufactured, served and consumed on the premises, and which is operated in conjunction with a restaurant use that possesses a plenary retail consumption license. Such uses shall be used principally for the purpose of providing meals to its customers with adequate kitchen and dining room facilities immediately adjoining licensed brewery facilities

CIDER AND MEADERY

An establishment licensed by the State of New Jersey as a cider and meadery under N.J.S.A. 33:1-10, producing hard cider and/or mead, including the sale and distribution of the product to licensed wholesalers and retailers, and including the retail sale of the product at retail to consumers on the licensed premises for consumption on or off the premises, and the offering of samples for consumption on the premises.

CRAFT BREWERY

An establishment licensed by the State as a limited brewery under N.J.S.A 33:1-10, to manufacture malt alcoholic beverages to sell and distribute the products to licensed wholesalers and retailers. The craft brewery may sell and serve the product at retail to consumers on the licensed premises for consumption on the premises but only in connection with tours of the brewery, or for consumption off premises, and to offer samples for sampling purposes only pursuant to an annual permit issued by the State. A craft brewery shall not sell food or operate a restaurant on the licensed premises

CRAFT DISTILLERY

An establishment licensed by the State of New Jersey as a craft distillery under N.J.S.A 33:1-10, to manufacture distilled alcoholic beverages to rectify, blend, treat and mix distilled alcoholic beverages, and to sell and distribute the products to licensed wholesalers and retailers. The distillery may sell the product at retail to consumers on the licensed premises for consumption off the premises or, in connection with a tour of the distillery, the retail sale or offering of samples for consumption on the premises

WINERY SALESROOM

An establishment licensed by the State as a winery sales room under N.J.S.A 33:1-15, that is owned and operated by the holder of a plenary winery license or out of state winery license issued by the State under N.J.S.A. 33:1-10, where wine produced by the licensee is sold at retail in original packages for consumption on or off the premises, and for the offering of samples.

SECTION 2. Section 88-53(B) of the Code of the Town of Clinton (“Code”) regarding permitted uses in the “Downtown Commercial District” is amended as follows (Additions noted in bold italics *thus* and deletions noted with a strikethrough ~~thus~~):

B. Permitted principal uses. The following uses, conducted within the confines of a building, are permitted:

(1) Stores and shops for retail business, provided that any process of manufacture, assembly, treatment or conversion involves a product or service intended to be sold or provided to the ultimate consumer and further provided that not more than five employees are involved in any such process. The foregoing shall not be deemed to include laundries, ~~or~~ dry-cleaning establishments *and winery, brewery and distillery uses.*

(2) Offices for business, executive, professional and administrative purposes.

- (3) Restaurants, cafes and taverns in which patrons are seated at tables or counters and are served food and drink by waiters or waitresses for consumption on the premises.
- (4) Studios for art, dancing, music, language, photography, and similar activities.
- (5) Museums.
- (6) Municipal buildings and municipal uses, but not including municipal garages and storage and maintenance yards.
- (7) Apartments, provided that no such apartment shall be located on the first floor.
- (8) Beauty salon, barbershop, day spa.
- (9) Federal reserve banks, commercial banks, savings institutions, credit unions, lending and financing offices, securities brokerage services, portfolio management companies, insurance carrying companies, insurance advisory companies, insurance fund managers, estate management services and similar activities, except drive-up windows for vehicles are not permitted in any such uses.
- (10) Nonprofit clubs, lodges and fraternal, civic and charitable organizations.

(11) Brewpubs, winery sales rooms, and other winery, craft brewery, cider and meadery, and craft distillery uses conducted under license from the New Jersey Division of Alcoholic Beverage Control and including such facilities for wine, spirit or beer making, tasting rooms and retail sales. To the extent allowed under licensing by the New Jersey Division of Alcoholic Beverage Control, preparation and service of food to patrons seated at tables or counters by waiters or waitresses for consumption on the premises shall be permitted.

SECTION 2. Section 88-53(E) of the Code of the Town of Clinton regarding affordable housing in the C-1 Downtown Commercial District is deleted in its entirety.

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.

Vote all ayes
Motion carried

A copy of this ordinance will be published in the March 16, 2022 edition of the Hunterdon Review. A public hearing will be held April 13, 2022. Copies of this ordinance are being forwarded to the Land Use Board for their review and recommendations.

BANNER REQUEST

A request has been made by the Friends of the Hunterdon County Library to display a banner from April 11-18 and if possible to the 25th, for the annual library book sale. A motion was made by Ms. Dineen, seconded by Mr. Bruno, to approve the request.

Vote all ayes
Motion carried

CORRESPONDENCE

A letter received from Meals on Wheels of Hunterdon County celebrating the 50th anniversary of the Older Americans Act Nutrition Program. Anyone interested in joining the March for Meals should let the clerk know in order to arrange for assisting.

REPORTS FROM COUNCIL

Chief Kubinak

Busy weekend in Town, Run O’The Mill 5K on Saturday, St. Patrick’s Day Parade on Sunday and the after party at the Red Mill.

April is Autism Awareness Month, patches for sale \$20.00 and proceeds go to the Hunterdon Arc Foundation, already raised \$3,000-\$4,000!

Councilman Perloff

Clinton Guild – hosting Pot O’Gold this weekend, March 12 and 13, 2022. Great deals and many shops participating!

Recreation – all facilities are now open! Dozens of requests have been submitted. Scheduling will be maintained on a calendar on the Rec website. The Community Center will be open Friday, March 11 to distribute packets for the Run until 11:00 am on Saturday.

April 1, Flashlight egg hunt at Hunts Mill at 6:00 p.m. till 9:00 p.m. Registration is required with names and ages for the appropriate age groups. Hunt is open to residents and children from Clinton Public School making it available to children from Glen Gardner as well.

Councilman Perloff stated that interest has been generated and a few citizen involvement forms have been submitted for any vacancies.

Councilman Humphrey

Platinum Club postponed their first Game Night due to inclement weather, new date is March 25, 2022 at the fire department.

Spring Platinum Brunch is scheduled for June 5, 2022. Considering first weekend in December for a holiday event, seeking sponsors.

Communications Committee Newsletter has been mailed out! Focus is going to spotlight individuals not always in the forefront and non profits such as CASA.

Economic Development Committee met last night and bringing lots of “cool” information to the next meeting on March 23, 2022. This is a highlight of all the work the previous committee has set the stage

for and thanks to Rielly Karsh, Sherry Dineen, Caryn Tomljanovich and Elizabeth Halpin for all their work. It will be exciting to see how far we have come. Stay tuned!

Attorney St. Angelo

Saturday, March 19, 2022, Attorney St. Angelo and Parikh will be holding an elected officials seminar in the council room from 8:30 a.m. to 1:00 p.m.

Announcement! The Clinton Township Sewerage Authority has agreed and signed the settlement agreement!

Councilwoman Dineen

Road / Buildings & Grounds – discussed seeking Local Aid funding for install sidewalks in front of the Clinton Fire Department along Old Route 22 and under the Route 78 overpass. Milling and paving to take place on Haver Farm, Goosetown and Mitchell. Hoping to go out for bid in the Spring. Tennis court discussion, courts will remain closed to active use but the Clinton Methodist will be allowed to use it for the easter egg hunt.

Councilman Traphagen

Rescue Squad reported 350 call for the month of February. Squad held a very successful blood drive and another scheduled for Saturday, March 20, 2022. Blood donations in great need.

Historic Commission – the Historic Façade program is a grant program for anyone living in the district. An application has been received with at least two more expected. Information available on the Historic Commission page of the Town website.

Councilwoman Johnson

The Friends of the Town of Clinton will be holding a booster club fund raiser on April 10, 2022. The fund raiser is a mattress sale and will feature all sizes and name brands. Mr. Phelan suggested the sale as his hometown held it and it was extremely profitable. More information will be coming out in fliers.

Mr. Humphrey noticed that several events have been mentioned this evening and suggested that folks reach out to him so they may be publicized on the town website. Send an email to Mr. Humphrey with events for March and April to spread the word and save the date!

STANDBY AND OVERTIME

A motion was made by Mr. Bruno, seconded by Ms. Dineen to approve the standby and overtime attached to these minutes for the period of February 18 through March 3, 2022.

ROLL CALL: Ayes: Bruno, Dineen, Humphrey, Johnson, Perloff, Traphagen, Mayor Kovach

Vote all ayes
Motion carried

PAYMENT OF BILLS

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

ROLL CALL: Ayes: Bruno, Dineen, Humphrey, Johnson, Perloff, Traphagen, Mayor Kovach

Vote all ayes
Motion carried

ADJOURNMENT

There being no further business, a motion was made by Ms. Johnson, seconded by Mr. Bruno to adjourn the meeting at 9:33 p.m.

Cecilia Covino, RMC/CMC
Municipal Clerk

Janice Kovach, Mayor