

This meeting was called to order at 7:00pm

Flag Salute.

Roll Call: Bruno, Kashwick, Padmos, Perloff, Stentz, 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. Perloff seconded by Mr. Bruno to approve the minutes of the Council Meetings held March 27, 2024.

Vote all ayes
Motion carried

APPROVAL OF MONTHLY REPORTS

A motion was made by Mr. Traphagen, seconded by Mr. Kashwick to accept the monthly reports for the month of March 2024 as submitted.

Vote all ayes
Motion carried

PUBLIC COMMENTS - NONE

MAYOR’S COMMENTS

Received two Citizen Involvement Applications from Cheryl Griffith and Norma Kania. Mayor Kovach asked for a motion to appoint Cheryl Griffith to the Land Use Board. Motion made by Mr. Kashwick, seconded by Mr. Bruno. Ms. Griffith will be going on as the 2nd Alternate.

Vote all ayes
Motion carried

Mayor Kovach asked for a motion to appoint Norma Kania to the Environmental Commission. Motion made by Ms. Stentz, seconded by Mr. Kashwick. There are no positions available yet for the Economic Development at this time.

Vote all ayes
Motion carried

The Cinelease Tour with the New Jersey League of Municipalities and the Screen Alliance of New Jersey was held on April 3, 2024. It was a great opportunity for municipal representatives to meet executives in the entertainment industry. Also to understand production needs and constraints within the municipalities. There were over 100 people in attendance from municipal representatives and executives in the entertainment industry. They were able to see the set for the new Jennifer Lopez movie that was going to be filming there. Everyone was very excited.

Best wishes to Chana and Yanky's wedding which was last week. She is the daughter of Rabbi Kornfeld.

Mayor Kovach along with other elected officials attended the Somerset Patriots baseball team opening day this past weekend. It was a celebration of the Steve and Suzanne Kalafer box. They redid the whole entire one area for the Kalafer's.

Raritan Valley Community College Film Industry Workforce Training was a production Assistant boot camp for students. There were some Hunterdon County students there as well.

Mayor Kovach did a ribbon cutting ceremony for Kuay Tiew Noodles yesterday. It is a family run and owned restaurant. She is very excited to welcome them to the community. They have a long standing in Somerville and are happy to be here in Clinton.

Reviewed the recreation software for Civics Plus and Edmunds. Kathy Olsen, CFO, and Richard Phelan, Business Administrator, are looking further into it and hopefully have the system in place by January of next year.

Patricia Timko's (a resident of Clinton) granddaughter, Samantha Ruitenberg, took a picture of the Red Mill for her digital photography project and it was selected to tour in Sussex County Judicial Center. Congratulations to Samantha!!!

The South Branch Rescue Squad is getting an award from the County Commissioners at a ceremony tomorrow night.

Hunterdon County Chamber of Commerce is hosting a recovery fundraiser for the Open Cupboard Food Pantry tomorrow night at the Red Mill Museum. It is sponsored by the Red Mill Museum Village, the Guild of Clinton, the Town of Clinton and the Hunterdon County Chamber of Commerce.

North Hunterdon Youth Baseball is having their opening day this Saturday. Mayor Lee and Mayor Kovach will be throwing out the first pitch.

FilmReady Conference if being held on April 23rd from 9am-2pm. Anyone who wishes to attend let Nancy Burgess, Deputy Clerk, know so she can sign you up. There is a limited amount of space available.

The New Jersey Motor Vehicle mobile unit will be at the North Hunterdon County Library on April 24th from 10am – 2pm.

CLINTON FIRE DEPARTMENT – TOWER LADDER TRUCK PRESENTATION

Chief Jeff Hedden, Deputy Chief Jason Mayer, and Jack Daniels the Fire Official were present to give a presentation on why the Clinton Fire Department needs to replace the Tower Ladder Truck. Deputy Chief Jason Mayer, who is the Chairman of the truck committee, took over the explanation with a power point presentation. Mr. Mayer first started by saying that the tower ladder was the first truck on the scene of the devastating fire on February 25, 2024 that burned the Walgreens and the Open Cupboard Food Pantry. The ladder truck pulled water from the water way and the fire fighters were able to start putting water on the building in seconds. The tower committee consists of himself, Chief Jeff Hedden, Captain Chris Querry, Lieutenant Jack Daniels, Lieutenant Ryan Clancy, who just had to step out on an emergency call, Engineer Steve Seguine, Treasurer Scott Wintermute, and Senior Operator Timothy Langston. The committee was organized back in February to get this proposal ready to present to Mayor and Council. The present ladder truck was purchased in 2007 and is due for replacement in 2028. The replacement time after placing the order is about three plus years on the schedule. This truck is a 2007 American La France Tower Ladder and is the first truck out on any commercial and high occupancy areas in the Town of Clinton such as strip malls, schools, hotels and apartment complexes. American La France who manufactured this truck is out of business since 2014. It is very hard to keep this apparatus working due to this factor and not being able to get the replacement parts. The maintenance cost for this truck is getting very high. Over the past five years the cost to maintain the truck was just over \$94,000. Chief Hedden explained that the truck has to be tested every time it goes out for repair for safety reasons. The ladder has to be tested by an outside company every year and every five years the truck has to go for a non-destructive test which is where it is covered with powder to see if there are any cracks. For example in the wheel wells and the body of the truck. The truck recently came back from that test where it cost \$30,000 for the stress cracks.

Mr. Mayer continued to say we do the annual testing to avoid any issues. The last thing the fire department wants is keep an apparatus in service that is not efficient which may result in loss of life. The new truck after all the committee's research was the 2027 Pierce Enforcer Ascendant Tower Ladder made by Pierce Manufacturing. It has a 300 gallon water tank and a 100" areal platform which is the same on the old ladder truck. It has room for over 100 ground ladders storage which will meet the new standards for what they need to carry. The old truck does not have that. There are a lot of new technologies on the new truck that were not known in 2007. For example the turning radius will be much smaller to get around the smaller areas in the Town, LED lighting for safety, backup cameras, and many more new features.

The 2024 pricing for this truck is \$2,188,325.44 and will only be good thru July 31, 2024. After that date the committee projects the estimated cost increase will be about 2% up to.5% increase. One reason why this number being so high is due to the Environmental Protection Agency issuing new guildlines. For example just the diesel motor that is required to be installed increased the price by \$75,000 as well as other items. There are many payment options where credits can be given for paying early for items. This pricing is from the co-op. It is lower than going thru the normal bid process.

Chief Hedden explained the pricing of the ladder trucks. He stated Readington's Tower Ladder Truck ordered in 2019 was \$1.4 million. Flemington's Tower Ladder Truck ordered about a year ago was about \$1.8 million and this truck does not have a pump on it. The cost projection in the next 10 years for these trucks will increase about 103%. Chief Hedden also explained that the committee has saved on engineering cost by pulling specs from other companies and see what will work for our company. The truck committee has worked diligently for two months to get this proposal together and to keep the cost as low as it can be.

Mayor Kovach asked if there were any questions. Councilman Kashwick questioned the LED lighting for safety of other drivers. How does this new truck take that into account? Chief Hedden said the newer trucks are made for the lights to go dim and slow down when put in park and also when the truck slows down. Also with the new specifications the lights will sink with other emergency truck's lights where when one truck pulls up to a scene one will blink red and the other blue not both going off for both trucks. They are all on the same system.

Mayor Kovach thanked Chief Hedden and Deputy Chief Mayer for their presentation. She understands this needs to happen. Mayor and Council will discuss this and will speak to Kathy Olsen, CFO, to get this prior to the deadline. If there are any more questions from council they can reach out directly to Chief Hedden and Deputy Chief Mayer.

PUBLIC HEARING OF ORDINANCE #24-01– PROHIBITION OF PETS BY RETAIL STORES

A motion was made by Ms. Padmos, seconded by Mr. Bruno, to open the public hearing of the Prohibition of Pets By Retail Stores.

ORDINANCE #24-01

ORDINANCE PROHIBITING THE SALE OF DOGS AND CATS BY RETAIL PET STORES

Vote all ayes
Motion carried

Mr. Larry Cohen Human Policy Volunteer Leader of The Humane Society of the United States, and Louise Campanello wanted to thank Mayor and Council for their commitment to this ordinance and their understanding of the issue. Mr. Cohen wanted to remind everyone that these breeders these stores uses feel that they are the best out there. The Humane Society publishes a list every year called the "Horrible 100". If the breeder is on that list they are not good. Over the last four years New Jersey has had breeders from that list selling puppies over 105 times. He said this ordinance is not banning business but welcoming pet stores.

Councilman Bruno said everyone received a letter from lobbyist, Mr. Leach and asked Mr. Cohen why he feels it is disingenuous. Mr. Cohen responded that the lobbyist claim the problem is with the shelters. Shelters are conspiring to take over this industry and that is not the case. The quality of the breeders that the pet stores are using is false. Many are on the "Horrible 100" list and the stores are not putting notice out for this. Councilman Bruno said he visited some of the pet shops to explain why he would be in support of this ordinance. There was a lot of back and forth. Councilman Bruno went on to say he agreed with Mr. Cohen that shelters are not trying to get a monopoly. You can walk into a shelter and walk out with a pet at a substantially lower price. Mr. Cohen also said there are many responsible breeders out there and there are many resources to find those breeders. Councilman Bruno's concern is that instead of a loosely regulated market it is going towards private sales which have no regulation. Councilwoman Padmos gave an example of a friend of hers who bought a puppy from a puppy mill sale and was told

completely the wrong information about the dog then what was true. The true information was horrible. At least using a breeder you know the breeder's name and go physically where they are. Mr. Cohen went on to explain the regulations the pet stores need to do to be compliant with the regulations.

Councilman Bruno asked Mr. Cohen if you knew of any town where this ordinance was adopted and there was a store in the town. Mr. Cohen said yes there is a town down south Jersey and they are no longer selling puppies. He said he has done so much research for so long that he does not think there is a good pet store out there. It is not the store it is the source of their product. Councilman Bruno remarked you need regulation at the state level because these ordinances may be easy to fight. Mayor Kovach said it is going back to the state legislature. Everyone she has talked to has been in support of this.

There being no further public comments, a motion was made by Mr. Traphagen and seconded by Mr. Perloff to close the public portion of the meeting.

Vote all ayes
Motion carried

A motion was made by Ms. Padmos, seconded by Mr. Kashwick to approve the submission of the Prohibition of Pets By Retail Stores.

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

Vote all ayes
Motion carried

INTRODUCTION OF ORDINANCE #24-04– STORMWATER MANAGEMENT (5/8)

A motion was made by Mr. Perloff, seconded by Mr. Traphagen, to introduce Ordinance #24-04 as submitted:

**ORDINANCE #24-04
ORDINANCE AMENDING ARTICLE XIII OF THE CODE OF
THE TOWN OF CLINTON, ENTITLED” STORMWATER CONTROL”**

WHEREAS, by Ordinance No. 21-20, the Mayor and Town Council of the Town of Clinton adopted new stormwater management regulations; and

WHEREAS, in July 2023, the New Jersey Department of Environmental Protection published a simplified Model Stormwater Control Ordinance to assist municipalities in revising their municipal stormwater control ordinances to reflect amendments to the Stormwater Management rules at N.J.A.C. 7:8; and

WHEREAS, based on the foregoing, the Mayor and Town Council seeks to amend its stormwater control ordinance to ensure its full compliance with the current requirements of N.J.A.C. 7:8, as may be amended.

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

SECTION 1. Article XII of the Code of the Town of Clinton (the “Code”), entitled “Stormwater Control” (1) is hereby amended as follows (additions noted in bold italics *thus* and deletions noted in strikethrough ~~thus~~); and (2) portions of the Code not set forth below shall remain unchanged:

§88-89. Scope and Purpose.

- A. Policy Statement. Unchanged.
- B. Purpose. Unchanged.
- C. Applicability
 - (1) This article shall be applicable to the following major developments:
 - (a) Nonresidential major developments; and
 - (b) Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
 - (2) This article shall also be applicable to all major developments undertaken by the Town of Clinton.
 - (3) *An application required by ordinance pursuant to subsection C(1) above that has been submitted prior to May 8, 2024, shall be subject to the stormwater management requirements in effect on May 7, 2024.*
 - (4) *Notwithstanding any rule to the contrary, a major development for any public roadway or railroad project conducted by a public transportation entity that has determined a preferred alternative or reached an equivalent milestone before July 17, 2023, shall be subject to the stormwater management requirements in effect prior to July 17, 2023.*
- D. Compatibility with Other Permit and Ordinance Requirements – unchanged.

SECTION 2. Section 88-90, entitled “Definitions,” is hereby amended by adding the following definitions:

“Public roadway or railroad” means a pathway for use by motor vehicles or trains that is intended for public use and is constructed by, or on behalf of, a public transportation entity. A public roadway or railroad does not include a roadway or railroad constructed as part of a private development, regardless of whether the roadway or railroad is ultimately to be dedicated to and/or maintained by a governmental entity.

“Public transportation entity” means a Federal, State, county, or municipal government, an independent State authority, or a statutorily authorized public-private partnership program pursuant to P.L. 2018, c. 90

(N.J.S.A. 40A:11-52 et seq.), that performs a public roadway or railroad project that includes new construction, expansion, reconstruction, or improvement of a public roadway or railroad.

SECTION 3. , §88-92(E) of the Code of the Town of Clinton is amended to update the referenced website to <https://dep.nj.gov/stormwater/bmp-manual/>.

SECTION 4. §88-92(P) of the Code of the Town of Clinton entitled “Groundwater Recharge Standards,” (1) is hereby amended as follows (additions noted in bold italics *thus* and deletions noted in strikethrough ~~thus~~); and (2) portions of the Code not set forth below shall remain unchanged:

A. Groundwater Recharge Standards

1. This subsection contains the minimum design and performance standards for groundwater recharge as follows:
2. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section V, either:
 - i. Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
 - ii. Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the *projected* 2-year storm, *as defined and determined pursuant to Section 88-93(D) of this ordinance*, is infiltrated.
3. This groundwater recharge requirement does not apply to projects within the “urban redevelopment area,” or to projects subject to 4 below.
4. The following types of stormwater shall not be recharged:
 - i. Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than “reportable quantities” as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan *approved pursuant to the Administrative Requirements for the Remediation of Contaminated Sites rules, N.J.A.C. 7:26C*, or *Department* landfill closure plan and

- areas; ***and areas*** with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
- ii. Industrial stormwater exposed to “source material.” “Source material” means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

SECTION 5. §88-92(R) of the Code of the Town of Clinton entitled “Stormwater Runoff Quantity Standards,” (1) is hereby amended as follows (additions noted in bold italics ***thus*** and deletions noted in strikethrough ~~thus~~); and (2) portions of the Code not set forth below shall remain unchanged:

1. This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
2. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section V, complete one of the following:
 - i. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the ***current and projected 2-, 10-, and 100-year storm events, as defined and determined in Section V.C and D, respectively, of this ordinance,*** do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
 - ii. Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the ***current and projected 2-, 10-, and 100-year storm events, as defined and determined pursuant to Section 88-93(C) and (D), respectively, of this ordinance,*** and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
 - iii. Design stormwater management measures so that the post-construction peak runoff rates for the ***current and projected 2-, 10-, and 100-year storm events, as defined and determined in Section 88-93(C) and (D), respectively, of this ordinance,*** are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion

- of the site on which the proposed development or project is to be constructed; or
- iv. In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with 2.i, ii and iii above is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of the stormwater runoff, or any combination of the three will not result in additional flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged directly into any ocean, bay, inlet, or the reach of any watercourse between its confluence with an ocean, bay, or inlet and downstream of the first water control structure.
3. The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

SECTION 6. §88-93 of the Code of the Town of Clinton entitled "Calculation of Stormwater Runoff and Groundwater Recharge," (1) is hereby amended as follows (additions noted in bold italics *thus* and deletions noted in strikethrough ~~thus~~); and (2) portions of the Code not set forth below shall remain unchanged:

A. Stormwater runoff shall be calculated in accordance with the following:

1. The design engineer shall calculate runoff using ~~one of~~ the following methods:

The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 *Part 630, Hydrology National Engineering Handbook*, incorporated herein by reference as amended and supplemented. This methodology is additionally described in *Technical Release 55 - Urban Hydrology for Small Watersheds (TR-55)*, dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at:

~~https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf~~
~~or at United States Department of Agriculture Natural Resources Conservation Service, 220 Davison Avenue, Somerset, New Jersey 08873; or~~

<https://directives.sc.egov.usda.gov/viewerFS.aspx?hid=21422>

*or at United States Department of Agriculture Natural Resources
Conservation Service, New Jersey State Office.*

- ~~i. The Rational Method for peak flow and the Modified Rational Method for hydrograph computations. The rational and modified rational methods are described in "Appendix A-9 Modified Rational Method" in the Standards for Soil Erosion and Sediment Control in New Jersey, January 2014. This document is available from the State Soil Conservation Committee or any of the Soil Conservation Districts listed at N.J.A.C. 2:90-1.3(a)3. The location, address, and telephone number for each Soil Conservation District is available from the State Soil Conservation Committee, PO Box 330, Trenton, New Jersey 08625. The document is also available at:~~

~~<http://www.nj.gov/agriculture/divisions/anr/pdf/2014NJSoilErosionControlStandardsComplete.pdf>.~~

2. For the purpose of calculating ~~runoff coefficients~~ **curve numbers** and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "~~runoff coefficient~~ **curve number**" applies to ~~both~~ the NRCS methodology above at Section V.A.1.i and the Rational and Modified Rational Methods at Section V.A.1.ii. A ~~runoff coefficient~~ **curve number** or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover ~~have~~ **has** existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
3. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, which may reduce pre-construction stormwater runoff rates and volumes.
4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS *Technical Release 55 – Urban Hydrology for Small Watersheds* or other methods may be employed.

5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

B. Groundwater recharge may be calculated in accordance with the following:

The New Jersey Geological Survey Report GSR-32: A Method for Evaluating Groundwater-Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological Survey website at <https://www.nj.gov/dep/njgs/pricelst/gsreport/gsr32.pdf>, or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420 Mail Code 29-01, Trenton, New Jersey 08625-0420.

<https://www.nj.gov/dep/njgs/pricelst/gsreport/gsr32.pdf>

or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420 Mail Code 29-01, Trenton, New Jersey 08625-0420.

C. *The precipitation depths of the current two-, 10-, and 100-year storm events shall be determined by multiplying the values determined in accordance with items 1 and 2 below:*

1. *The applicant shall utilize the National Oceanographic and Atmospheric Administration (NOAA), National Weather Service's Atlas 14 Point Precipitation Frequency Estimates: NJ, in accordance with the location(s) of the drainage area(s) of the site. This data is available at:*

https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=nj; and

2. *The applicant shall utilize Table 5: Current Precipitation Adjustment Factors below, which sets forth the applicable multiplier for the drainage area(s) of the site, in accordance with the county where the drainage area(s) of the site is located.*

Table 5: Current Precipitation Adjustment Factors

	Current Precipitation Adjustment Factors
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<i>County</i>	<i>2-year Design Storm</i>	<i>10-year Design Storm</i>	<i>100-year Design Storm</i>
<i>Hunterdon</i>	<i>1.02</i>	<i>1.05</i>	<i>1.13</i>

D. *Table 6: Future Precipitation Change Factors provided below sets forth the change factors to be used in determining the projected two-, 10-, and 100-year storm events for use in this chapter, which are organized alphabetically by county. The precipitation depth of the projected two-, 10-, and 100-year storm events of a site shall be determined by multiplying the precipitation depth of the two-, 10-, and 100-year storm events determined from the National Weather Service’s Atlas 14 Point Precipitation Frequency Estimates pursuant to (c)1 above, by the change factor in the table below, in accordance with the county where the drainage area(s) of the site is located.*

Table 6: Future Precipitation Change Factors

	<u><i>Future Precipitation Change Factors</i></u>		
	<u><i>2-year Design Storm</i></u>	<u><i>10-year Design Storm</i></u>	<u><i>10-year Design Storm</i></u>
<u><i>Hunterdon</i></u>	<u><i>1.19</i></u>	<u><i>1.23</i></u>	<u><i>1.42</i></u>

SECTION 7. §88-94 of the Code of the Town of Clinton entitled “Sources for Technical Guidance,” (1) is hereby amended as follows (additions noted in bold italics *thus* and deletions noted in strikethrough ~~thus~~); and (2) portions of the Code not set forth below shall remain unchanged:

A. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department’s website at:

<https://dep.nj.gov/stormwater/bmp-manual/>.

1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.
2. Additional maintenance guidance is available on the Department’s website at:

<https://dep.nj.gov/stormwater/maintenance-guidance/>.

B. Submissions required for review by the Department should be mailed to:

The Division of Watershed Protection and Restoration, New Jersey Department of Environmental Protection, Mail Code 501-02A, PO Box 420, Trenton, New Jersey 08625-0420.

SECTION 8. §88-96(C)(2) of the Code of the Town of Clinton entitled “Safety Standards for Stormwater Maintenance Basins,” (1) is hereby amended as follows (additions noted in bold italics *thus* and deletions noted in strikethrough ~~thus~~); and (2) portions of the Code not set forth below shall remain unchanged:

2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
 - a. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
 - b. The overflow grate spacing shall be no ~~less~~ *greater* than two inches across the smallest dimension
 - c. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.

SECTION 9. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 10. 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 11. This Ordinance shall take effect upon (1) approval by the Hunterdon County Planning Board pursuant to N.J.S.A. 40:55D-15. b and -16; and (2) passage and publication according to law.

Vote all ayes
Motion carried

**INTRODUCTION OF ORDINANCE #24-05– TREE REMOVAL AND REPLACEMENT-
TABLED**

RESOLUTION #72-24 HIRING OF POLICE OFFICER

A motion was made by Mr. Traphagen, seconded by Mr. Perloff, to adopt Resolution #72-24 as submitted:

RESOLUTION #72-24

WHEREAS, the Town of Clinton Police Department requires the hiring of a new officer, and;

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

WHEREAS, the Police Chief and Police Committee recommend that the following individual be hired to fill the open position at the level of 10th Class Police Officer at the 2024 rate of \$63,573.41;

TREY RIVERA

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Clinton hire Trey Rivera to fill the open position at the Town of Clinton Police Department effective April 8, 2024.

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

Vote all ayes
Motion carried

RESOLUTION #73-24 REFUNDING FORM & SALE RESOLUTION (2013 BBONDS)

A motion was made by Mr. Kashwick, seconded by Ms. Stentz, to adopt Resolution #73-24 as submitted:

RESOLUTION #73-24

**RESOLUTION DETERMINING THE FORM AND OTHER
DETAILS OF NOT TO EXCEED \$7,000,000 PRINCIPAL
AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS,
SERIES 2024, OF THE TOWN OF CLINTON, IN THE COUNTY
OF HUNTERDON, NEW JERSEY, AND PROVIDING FOR THE
SALE AND THE DELIVERY OF SUCH BONDS TO AN
UNDERWRITER AS DETERMINED BY THE CHIEF FINANCIAL
OFFICER**

BE IT RESOLVED 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 Town of Clinton, in the County of Hunterdon, New Jersey (the "Town"), hereby authorizes the sale, in one or more series, of an amount not to exceed \$7,000,000 General Obligation Refunding Bonds, Series 2024, consisting of General Improvement Refunding Bonds, Sewer Utility Refunding Bonds and Water Utility Refunding Bonds (together, the "Bonds"), by virtue of its final adoption by a two-thirds majority of its full membership on March 24, 2021 of a bond ordinance entitled, "Refunding Bond Ordinance of the Town of Clinton, in the County of Hunterdon, New Jersey, Providing For the Refunding of All or a Portion of Certain General Obligation Bonds of the Town, Appropriating \$7,300,000 Therefor and Authorizing the Issuance by the Town of Refunding Bonds in the Aggregate Principal Amount of Not Exceeding \$7,300,000 For Financing the Cost Thereof" (the "Bond Ordinance").

Section 2. The Bonds are hereby authorized to be sold to an investment banking or other financial institution (referred to herein as the "Underwriter") selected by the Chief Financial Officer in concert with Phoenix Advisors, LLC, the Town's municipal advisor (the "Municipal Advisor"), in accordance with the purchase contract (the "Purchase Contract") to be entered into by and between the Underwriter and the Town pursuant to this resolution. The purchase price for the Bonds shall be as set forth in the Purchase Contract, plus unpaid accrued interest, if any, from the dated date of the Bonds to, but not including, the delivery date of the Bonds. The Mayor or the Chief Financial Officer is hereby authorized to enter into the Purchase Contract on behalf of the Town with the Underwriter, if applicable, in a form satisfactory to McManimon, Scotland & Baumann, LLC, Bond Counsel for the Town ("Bond Counsel"), for the sale of the Bonds to the Underwriter in accordance with the provisions of this resolution. The signature of the Mayor or the Chief Financial Officer on the Purchase Contract shall be conclusively presumed to evidence any necessary approvals.

Section 3. The Bonds are being issued to incur interest cost savings by redeeming all or a portion of the outstanding callable (i) General Improvement Bonds of the Town originally issued in the aggregate principal amount of \$2,328,000, dated August 1, 2013 (the "Dated Date"), which bonds maturing on or after August 1, 2024 (the "GI Refunded Bonds") are redeemable at the option of the Town, in whole or in part, on any date on or after August 1, 2023 (the "Redemption Date") at par (the "GIB Redemption Price"), plus accrued interest, if any, to the Redemption Date, (ii) Sewer Utility Bonds of the Town originally issued in the aggregate principal amount of \$1,500,000, dated the Dated Date, which bonds maturing on or after August 1, 2024 (the "SU Refunded Bonds") are redeemable at the option of the Town, in whole or in part, on any date on or after the Redemption Date at par (the "SUB Redemption Price"), plus accrued interest, if any, to the Redemption Date, and (iii) Water Utility Bonds of the Town originally issued in the aggregate principal amount of \$8,043,000, dated the Dated Date, which bonds maturing on or after August 1, 2024 (the "WU Refunded Bonds"; and together with the GI Refunded Bonds and the SU Refunded Bonds, the "Refunded Bonds") are redeemable at the option of the Town, in whole or in part, on any date on or after the Redemption Date at par (the "WUB Redemption Price"; and together with the GIB Redemption Price and the SUB Redemption Price, the "Redemption Price"), plus accrued interest, if any, to the Redemption Date.

Section 4. The Bonds shall be issued in accordance with the terms and conditions set forth in the Purchase Contract within the parameters set forth herein:

(A) The Bonds shall be issued in a par amount determined to be necessary to pay costs of issuance and to provide for payment of the Redemption Price of the Refunded Bonds on the Redemption Date and the interest due on the Refunded Bonds to the Redemption Date;

(B) The Bonds shall be dated such date as established in the Purchase Contract;

(C) The Bonds shall mature in the principal amounts on August 1 of each year, commencing on or about August 1, 2024 and thereafter or as otherwise set forth in the Purchase Contract, and shall bear

interest at interest rates per annum on the unpaid principal balance on each February 1 and August 1 until maturity, commencing on or about August 1, 2024 or as otherwise set forth in the Purchase Contract;

(D) The Bonds shall be issued in the form of one bond for each series for each maturity thereof, except if all or any portion of the Bonds are issued as term bonds;

(E) The General Improvement Refunding Bonds shall be numbered consecutively from GIR-1, the Sewer Utility Refunding Bonds shall be numbered consecutively from SUR-1 and the Water Utility Refunding Bonds shall be numbered consecutively from WUR-1, and each series shall mature in such principal amounts with such mandatory call features and with such mandatory sinking fund payments as set forth below and as determined in the Purchase Contract;

(F) The Bonds shall not be subject to optional redemption prior to their stated maturities except to the extent provided for in the Purchase Contract or otherwise determined by the Chief Financial Officer; and

(G) Depending on market conditions at the time of the sale, the Bonds may be issued in one or more series as determined by the Chief Financial Officer, in consultation with Bond Counsel and the Municipal Advisor.

Section 5. The Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Town to conform the Bonds to the requirements of the Purchase Contract. References to The Depository Trust Company in the form of the Bonds below are discretionary based on the determination of the Chief Financial Officer as to its applicability:

SAMPLE BOND FORM FOR INFORMATION

ONLY – DO NOT COMPLETE

REGISTERED
NUMBER __-__

REGISTERED
\$_____

UNITED STATES OF AMERICA
STATE OF NEW JERSEY

TOWN OF CLINTON
COUNTY OF HUNTERDON

REFUNDING BOND, SERIES 2024

DATED DATE:	MATURITY DATE:	RATE OF INTEREST PER ANNUM:	CUSIP:
__/__/2024	08/01/20__	_____%	_____

TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY (the "Town"), hereby acknowledges itself indebted and for value received promises to pay to Cede & Co., as nominee for The Depository Trust Company, which will act as Securities Depository, on the Maturity Date specified above, the principal sum of _____ DOLLARS (\$_____) and to pay interest on such sum from the Dated Date set forth above at the Rate of Interest Per Annum specified above semiannually on the first days of August and February in each year until maturity, commencing on August 1, 2024. Interest on this bond will be paid to the Securities Depository by the Town and will be credited to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of the January 15 and July 15 next preceding the date of such payments (the "Record Dates" for such payments). Principal of this bond, upon presentation and surrender to the Town, will be paid to the Securities Depository by the Town and will be credited to the participants of The Depository Trust Company.

This bond is not transferable as to principal or interest except to an authorized nominee of The Depository Trust Company. The Depository Trust Company shall be responsible for maintaining the book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants are responsible for maintaining records regarding the beneficial ownership interests in the bonds on behalf of individual purchasers.

This bond is one of an authorized issue of bonds and is issued pursuant to the Local Bond Law of the State of New Jersey and a refunding bond ordinance of the Town finally adopted March 24, 2021 and entitled, "Refunding Bond Ordinance of the Town of Clinton, in the County of Hunterdon, New Jersey, Providing For the Refunding of All or a Portion of Certain General Obligation Bonds of the Town, Appropriating \$7,300,000 Therefor and Authorizing the Issuance by the Town of Refunding Bonds in the Aggregate Principal Amount of Not Exceeding \$7,300,000 For Financing the Cost Thereof".

The full faith and credit of the Town are hereby irrevocably pledged for the punctual payment of the principal of and interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in

the issuance of this bond exist, have happened and have been performed, and that the issue of bonds of which this is one, together with all other indebtedness of the Town, is within every debt and other limit prescribed by such Constitution or statutes.

IN WITNESS WHEREOF, the TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, has caused this bond to be executed in its name by the manual or facsimile signature of its Mayor and its Chief Financial Officer, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual signature of its Town Clerk, and this bond to be dated the Dated Date as specified above.

TOWN OF CLINTON, IN THE COUNTY
OF HUNTERDON, NEW JERSEY

[TOWN SEAL]

ATTEST:

By: [to be executed upon issuance]

Mayor

By: [to be executed upon issuance]

Town Clerk

By: [to be executed upon issuance]

Chief Financial Officer

[END OF SAMPLE BOND FORM]

Section 6. The Bonds shall have printed thereon a copy of the written opinion with respect to the Bonds that is to be rendered by Bond Counsel, complete except for omission of its date. The Chief Financial Officer is hereby authorized and directed to file a signed duplicate of such written opinion in the Town Clerk's office. Alternatively, each Bond may be accompanied by the signed legal opinion or copy thereof.

Section 7. Bond Counsel is hereby authorized to arrange for the printing of the Bonds. The proper officials of the Town are hereby authorized and directed to execute the Bonds and to deliver them to the Underwriter in exchange for payment, including accrued interest from their date to the date of delivery, if any.

Section 8. If the Bonds will be issued in book-entry-only form, the Chief Financial Officer is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with The Depository Trust Company as may be necessary in order to provide that the Bonds will be eligible for deposit with The Depository Trust Company and to satisfy any obligation undertaken in connection therewith.

Section 9. In the event that The Depository Trust Company may determine to discontinue providing its service with respect to the Bonds or is removed by the Town and if no successor Securities Depository is appointed, the Bonds that were previously issued in book-entry form shall be converted to registered bonds (the "Registered Bonds") in denominations of \$5,000 or any integral multiple of \$1,000 in excess thereof. The beneficial owner under the book-entry system, upon registration of the Bonds held in the beneficial owner's name, will become the registered owner of such Registered Bonds. The Town shall be obligated to provide for the execution and delivery of the Registered Bonds in certificate form.

Section 10. Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission (the "SEC"), as amended and interpreted from time to time (the "Rule"), and provided that the Bonds are not exempt from the Rule and provided that the Bonds are not exempt from the following requirements in accordance with paragraph (d) of the Rule, for so long as the Bonds remain outstanding (unless the Bonds have been wholly defeased), the Town shall provide for the benefit of the holders of the Bonds and the beneficial owners thereof:

(a) On or prior to September 30 of each fiscal year, beginning September 30, 2024 for the fiscal year ending December 31, 2023, electronically to the Municipal Securities Rulemaking Board's Electronic Municipal Market Access ("EMMA") system or such other repository designated by the SEC to be an authorized repository for filing secondary market disclosure information, if any, annual financial information with respect to the Town, consisting of the audited financial statements (or unaudited financial statements if audited financial statements are not then available, which audited financial statements will be

delivered when and if available) of the Town and certain financial information and operating data, consisting of: (1) Town indebtedness and overlapping indebtedness, including a schedule of outstanding debt issued by the Town; (2) property valuation information; and (3) tax rate, levy and collection data. The audited financial statements will be prepared in accordance with generally accepted accounting principles as modified by governmental accounting standards as may be required by New Jersey law.

(b) If any of the following events occur regarding the Bonds, a timely notice not in excess of ten business days after the occurrence of the event sent to EMMA:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) Modifications to the rights of holders of the Bonds, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution or sale of property securing repayment of the Bonds, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the Town;
- (13) The consummation of a merger, consolidation or acquisition involving the Town or the sale of all or substantially all of the assets of the Town, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material;

- (15) Incurrence of a Financial Obligation of the Town, if material, or agreement to covenants, events of default, remedies, priority rights or other similar terms of a Financial Obligation of the Town, any of which affect holders of the Bonds, if material; and
- (16) Default, event of acceleration, termination event, modification of terms or other similar events under a Financial Obligation of the Town, if any such event reflects financial difficulties.

The term "Financial Obligation" as used in subparagraphs (b)(15) and (b)(16) above means a (i) debt obligation, (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation or (iii) guarantee of (i) or (ii); *provided, however*, that the term "Financial Obligation" shall not include municipal securities as to which a final official statement has been provided to the Municipal Securities Rulemaking Board consistent with the Rule.

(c) Notice of failure of the Town to provide required annual financial information on or before the date specified in this resolution shall be sent in a timely manner to EMMA.

If all or any part of the Rule ceases to be in effect for any reason, then the information required to be provided under this resolution, insofar as the provision of the Rule no longer in effect required the provision of such information, shall no longer be required to be provided.

The Chief Financial Officer shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of obligations of the Town prior to their offering. Such officer is hereby authorized to enter into additional written contracts or undertakings to implement the Rule and is further authorized to amend such contracts or undertakings or the undertakings set forth in this resolution; *provided*, such amendment is, in the opinion of nationally recognized bond counsel, in compliance with the Rule.

In the event that the Town fails to comply with the Rule requirements or the written contracts or undertakings specified in this resolution, the Town shall not be liable for monetary damages, remedy being hereby specifically limited to specific performance of the Rule requirements or the written contracts or undertakings therefor.

Section 11. The Town hereby approves the preparation and distribution of the Preliminary Official Statement in the form to be approved by the Chief Financial Officer. Such Official Statement may be distributed in preliminary form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission on behalf of the Town by the Chief Financial Officer. The Preliminary Official Statement shall be prepared in final form in connection with the issuance of the Bonds, and the Chief Financial Officer is hereby authorized to execute any certificates necessary in connection with the distribution of the Official Statement. Final Official Statements shall be delivered to the Underwriter within the earliest of seven business days following the sale of the Bonds or to accompany the Underwriter's confirmations that request payment for the Bonds. Bond Counsel and/or the Municipal Advisor are hereby further authorized to arrange on behalf of the Town for a rating for the Bonds from S&P Global Ratings, acting through Standard & Poor's Financial Services LLC, and/or Moody's Investors Service, Inc., and all such actions taken to date in connection therewith are hereby ratified and confirmed.

Section 12. The Chief Financial Officer, with the advice of the Municipal Advisor, is hereby authorized to arrange for bond insurance if advantageous based on the advice of the Underwriter to be provided at a premium not to exceed 75 basis points of the amount of principal and interest payable in order to obtain the best possible rates and the most cost-effective financing and is hereby authorized to take all steps on behalf of the Town necessary to do so.

Section 13. The Chief Financial Officer, with the advice of Bond Counsel, shall arrange for paying agent services or redemption agent services with a banking institution if any portion of the Bonds are term bonds requiring a sinking fund.

Section 14. The Chief Financial Officer is hereby authorized and directed to pay the costs of issuance in connection with the sale of the Bonds pursuant to a certificate of the Chief Financial Officer to be executed upon delivery of the Bonds in an aggregate amount not to exceed the amount outlined in the Bond Ordinance.

Section 15. The Chief Financial Officer shall take all steps necessary to call the Refunded Bonds on the Redemption Date, at par, plus any unpaid accrued interest thereon, and to take all steps necessary for the investment of the proceeds of the Refunded Bonds necessary to arrange for such redemption. The Municipal Advisor and/or the Underwriter, on behalf of the Town, are authorized to reserve and purchase open market treasury securities and/or United State Treasury Securities – State and Local Government Series ("SLGS") for deposit with the escrow agent, if required. All of the principal amount and interest earnings on the open market treasury securities and/or SLGS, as well as cash, if necessary, will be used to pay the interest due on the Refunded Bonds to the Redemption Date and to pay the Redemption Price of the Refunded Bonds due on the Redemption Date. The Town Council hereby authorizes the Chief Financial Officer to select a bank to serve as escrow agent, if necessary, based upon the recommendation of the Municipal Advisor, and hereby authorizes the Mayor and/or the Chief Financial Officer to enter into an Escrow Deposit Agreement with such escrow agent, if necessary, in order to provide instructions regarding the deposit of the open market treasury securities and/or SLGS and cash, if any.

Section 16. The Town Council hereby authorizes the Chief Financial Officer to select a firm to serve as verification agent, if necessary, to confirm the accuracy of the mathematical computations supporting the accuracy of the interest cost savings and the sufficiency of the amount in the escrow account to pay the interest due on the Refunded Bonds to the Redemption Date and to pay the Redemption Price of the Refunded Bonds due on the Redemption Date.

Section 17. The Mayor, the Chief Financial Officer and any other appropriate representatives of the Town are hereby authorized to take all steps necessary to provide for the issuance of the Bonds and the redemption of the Refunded Bonds, including preparing and executing such agreements and documents on behalf of the Town and taking all steps necessary or desirable to implement the requirements of this resolution as may be necessary and appropriate in connection with the transactions contemplated thereby.

Section 18. This resolution shall take effect immediately.

Present on zoom was Matt Jessup and Sherry Tracey from Phoenix Advisors, the Bond Council for any specific questions. There were no questions.

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

Vote all ayes
Motion carried

RESOLUTION #74-24 AUTHORIZATION TO APPLY FOR DCA GRANT

A motion was made by Ms. Padmos, seconded by Mr. Kashwick, to adopt Resolution #74-24 as submitted

RESOLUTION # 74-24

**APPROVAL TO SUBMIT A GRANT APPLICATION WITH THE NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS LOCAL
RECREATIONAL IMPROVEMENT GRANT PROGRAM**

WHEREAS, the Mayor and Council of the Town of Clinton are desirous to submit a grant application to the New Jersey Department of Community Affairs for the purposes of improving the recreation site at the Community Center, 63 Halstead Street, Clinton; and

WHEREAS, access to outdoor recreation and community resources is critical for mental and physical health, particularly for those residents with limited or no other access to quality outdoor space or private recreational facilities; and

WHEREAS, the Town of Clinton was previously awarded \$70,000 and \$100,000 from the Local Improvement Grant in January 2022 and 2023 to make improvements to the playground at Halstead Street in the Town of Clinton and have used the award to purchase new playground equipment; and

WHEREAS, the Town of Clinton continues to make improvements to the recreation area to create an inclusive playground so that children with all abilities can play safely together; and

WHEREAS, the recreation site at the Community Center currently provides these resources for Town residents, and the surrounding community.

NOW, THEREFORE, BE IT RESOLVED, THAT the Mayor and Council of the Town of Clinton formally approves the grant application for the above stated project through the DCA's Local Recreational Improvement Grant program

Councilwoman Padmos explained the grant can be used for any recreational matter. We applied for it for the last few years and it helped pay for the tennis/pickle ball court and basketball courts. We have had a lot of success and would like to apply again. The deadline is April 16, 2024. This one and the money left from the previous grant will help pay for the percentage due from the town if we get the Green Acres Grant.

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

Vote all ayes
Motion carried

PRESENTATION OF SUBURBAN CONSULTION – WATER RATES

Mr Andrew Holt, PE, and Ms. Eleni Giannikopoulos who are our Water Consulting Engineers presented a Water Rate Analysis Report on why the Town of Clinton Water Department (CWD) should and must raise their water rates using a power point presentation. They introduced by saying the CWD serves 4,885 customer connections over five municipalities. There are 10 groundwater source wells, 100 miles of water mains, 1,224 valves, 2 pressure regulating stations, 3 booster stations and 3 finished water storage tanks. There have been many industry regulatory updates since 2017 which the CWD has been compliant with the Water Quality Accountability Act. Up until now the CWD has been operating with a surplus from all the regulations however there are 2 regulations that will cause the operation to go in a deficit if rates are not increased. The first is the Lead Service Line Replacement and Lead Copper Replacement Rule. This means by 2031 the CWD is required to remove and replace all lead (galvanized) service lines from the water main to the dwelling. The water survey put out to get this information revealed there is a small number of lines that fall under this but it still is very costly for the water department. The other regulation is the Per- & PolyFluroAlkyl Substances (PFAS) in the system. The PFAS limits were at 14 parts per trillion and the wells were way under that limit. The new limit came into law tonight to bring down the PFAS limit down to 4 parts per trillion. At this limit there are 7 wells that fall under this. \$4.6 million will have to be allocated every year to address each well in 3 years before 2027. With these costs in mind, there is no choice but to raise the rates. Ms. Giannikopoulos explained in their analysis they tried keep the rate increase as low as possible. Their recommended increase would be 12 ½% annually over the next five years effective January 1, 2025. They asked Mayor and Council to possibly think about starting the rate increase July 1, 2024. It would put the water department in a better financial position. This will keep the CWD working in a positive due to these new regulations brought down by the State. We cannot avoid not to do this.

Councilman Perloff asked how we compare to other water companies. Mr. Holt responded that the other companies will have to comply with these regulations as well. Any system effected by PFAS most likely they will have to do something with their rates as well. The CWD has always been ahead of keeping up with the infrastructure and maintenance of the system. CWD's rates have always run below other water companies. Ms. Giannikopoulos said we are being proactive to what the debt will be in the next five years. This will affect all industries. Again the new regulations have contributed substantially to the increase. Councilman Perloff asked several questions one also was what would the penalty be if we do not get the new regulations by the deadline. We should let the residents know that there is a time restraint on this. Mr. Holt said we cannot avoid not to do this and cannot avoid to undermine consumer confidence. He has not heard of any municipal owned systems getting a \$50,000 a day fine it is more about everything you can do to comply and the public is getting safe drinking water. The CWD has always been proactive.

Mayor Kovach also responded by saying when the Asset Management Plan was put together it became the guide to understand the total working of the water system. This is a huge system. For a municipal entity to run this system it takes much work. The CWD staff is cross trained in many areas and we are able to maintain the system at a high level. It is a great team. Mr. Kovach explained we look over all the projects that need to be done and try to get them done in the least costly way to not burden the customers.

Mayor Kovach thanked Mr. Holt and Ms. Giannikopoulos for the presentation. It is quite a lot of information to think about. It is not something that can really wait.

CORRESPONDENCE - None

REPORTS OF COUNCIL

Councilman Perloff

1. Clinton Town Picnic will be September 7, 2024 with a rain date of September 21, 2024 at Hunts Mill Park.
2. The Farmers Market has been permanently closed. There is interest from several of the vendors to bring it back at some time.
3. The Sewer Department has some emergency repairs for a man hole on Alton Place. Has no issues from the repair. They are reviewing the odor complaints back by Hunts Mill. The lines were explored and nothing was found. Do not believe it is sewer related but believe it is from the standing water behind the homes. Phase II final design for the alignment of exit 15 is down with the county for review.
4. For personal, Rich Phelan, Business Administrator updated that the advertising for the sewer and water department positions went out again and hopefully start interviews next week.
5. The Clinton Guild is holding a fund raiser event tomorrow for the Open Cupboard Food Pantry that the Mayor mentioned earlier. The Guild, the Town and the Red Mill Museum are trying to work together to support them. It is important. Hope everyone can attend. April 28 is Cruisin' in Clinton. Do not have dates yet but look for the return of Home Tweet Home, Flag Day and Come Together Music.

Councilwoman Kashwick

1. Platinum Club: Chair Yoga is continuing at the Community Center. The turnout has been very good.
2. Environment Commission: Meets next week. The Red to Green event is this Saturday, April 13th. The River Clean Up is Saturday, April 20th.
3. Shade Tree Commission: Attended the 3 webinars on the Tree Removal and Replacement Ordinance that the Department of Environmental was offering with the New Jersey Shade Tree Commission. Based on the webinars he will put together some updates to our ordinance working with Councilwoman Stentz.
4. Mentioned at last meeting he attended the Highlands Watershed Planning Committee meeting last meeting and one of the gentleman on the call from Rutgers will be coming out to town next week to review the run off issue on Interstate Route 78.

Councilwoman Padmos

1. Art in Bloom will be this Sunday, April 14th. from 11am to 4pm. Local shops will be out as vendors and well as local artisans. There will be a pet parade starting at the Fire Department and ending at the Red Mill. Treats and prizes for the winner. There will be the grill and music at the Fire House and music down at the Red Mill. It will be a fun filled day. Economic Development Committee will have a table to welcome everyone.
2. Heard many people have been falling on the stairs going into the trailer for the Walgreens since the fire. Ms. Padmos put on Facebook that you can call the pharmacist inside and they will come out and help you. There is a lift there as well.

Councilman Traphagen

1. The South Branch Rescue Squad has 378 calls for the Month of March. Lobster Steak and Street Feast tickets are available on line now. Sponsorships are available to support the event. Should be a great fund raiser and a community event.
2. As the Mayor mentioned earlier tomorrow the award ceremony will take place for the South Branch Rescue Squad from County Commissioner. The County Commissioner's office had \$1 million of grant money for non-profits. South Branch applied and they will be getting \$34,000.

Councilman Bruno

1. Buildings and Grounds: Our engineer, Robert Clerico, sent a new report for the Route 173 project to make it more pedestrian safe. Approval will be needed from the Department of Transportation and the Clinton Fire Department because of where the crosswalks will be.
2. Met with a representative from Rolling Thunder to explain about displaying a MIA table. The table will be placed in the vestibule of the municipal building year round with information. Working with them for a revealing date either Flag Day or at an event the scouts are having at the Red Mill. He will inform the council when the decision is made.
3. The pickle ball nets came in with no brakes on them so they will not break.
4. Clinton Fire Department has two new members, Kaitlyn Balmes and Scott Fusco, as active members. Motion made by Ms. Stentz, seconded by Mr. Perloff to accept the new firefighters.

Vote all ayes
Motion carried

5. Visited some pet shops as everyone heard earlier in the meeting. The pet shops were very happy to at least be heard. The owners oppose what Mr. Cohen is saying. Mr. Bruno said he would relay some of the information back and would ask Mr. Cohen some questions. It is unfortunate that it has gotten to the point where Mr. Cohen cannot have these conversations with the pet shops himself. Ms. Padmos said she also has been reaching out to Mr. Cohen.

Councilwoman Stentz

1. Shade Tree Commission has not met since last meeting. Completed the New Jersey Urban and Community Forestry training. Will be attending the Sustainable Conference in May.
2. Ms. Stentz with her daughter cleaned up the area behind Hunts Mill fitness trail called the Meadows. It was in need of much attention. Will be applying for a grant to fund some native plants. Mayor Kovach said it looks amazing!!!

STANDBY AND OVERTIME

A motion was made by Mr. Perloff seconded by Ms. Padmos, to approve the standby and overtime attached to these minutes for the period of March 15, 2024 through March 28, 2024.

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

Vote all ayes
Motion carried

PAYMENT OF BILLS

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

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

Vote all ayes
Motion carried

ADJOURNMENT

There being no further business, a motion was made by Mr. Kashwick, seconded by Ms. Stentz to adjourn the meeting at 9:27 p.m.

Nancy Burgess, RMC
Municipal Deputy Clerk

Janice Kovach, Mayor