

Flag Salute.

Roll Call: Johnson, Kashwick, Padmos, Perloff, Traphagen, Mayor Kovach

Absent: Bruno

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 Ms. Johnson, seconded by Ms. Padmos to approve the minutes of the Council Meeting and Executive Session minutes of April 26, 2023 as submitted.

Vote all ayes
Motion carried

APPROVAL OF MONTHLY REPORTS

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

Vote all ayes
Motion carried

PUBLIC COMMENTS

Former Councilman Mike Humphrey came before Council to challenge the decision to cancel the newsletter contract with LPI publishing and proceed with an on-line newsletter. Mr. Humphrey worked the last four years on the newsletter with this company and offered to assist the committee continue with it. Mr. Humphrey will be moving from the Town of Clinton soon and will become an employee of LPI beginning in July. He offered to help the committee before he moves away. Mr. Traphagen stated that many conversations with the Communication Committee determined the amount of time it took the staff to tab, label, go to the Flemington post office and back to the Clinton post office for mailing was costly and time consuming, plus the cost of mailing it. The Committee agreed not everyone does email and would gladly deliver to those who do not. The Committee feels that more current information would be

made to the residents with an on-line newsletter. Mr. Humphrey stated it takes a while to get to work with the template but it is just a learning curve and feels it is important to be delivered to homes. Mr. Kashwick said he did not vote to eliminate the newsletter just to cancel the contract with LPI, Liturgical Publishing Inc. LPI is a service that deals mostly with churches and is not the type of service a municipality needs. Mayor Kovach asked the Communications Committee to have a meeting and invite Mr. Humphrey to further discuss. Committee meeting with Economic Development May 16, 2023.

PRESENTATION OF TROPHY!

Carroll Bissiotis presented Council with a trophy for their victory at the Clinton Public School 8th grade volleyball game! Hoping to make it an annual event, it was great fun!

MAYOR'S COMMENTS

1. Attended an information session with Chief Kubinak at the communications building on 911 Inform. This geofencing program that also ties to cameras and doors for the school building allowing for a targeted or quicker response as needed.
2. BIG thank you to the Sunrise Rotary for sponsoring the Annual Pete Pender Fishing Derby at DeMott Pond. It was held May 6th 2023, weather was beautiful and the kids has a great day!
3. Red Mill hosted the Kentucky Derby, another fabulous event!
4. On Monday, May 8, 2023, a couple from Charlotte, North Carolina visited Clinton, New Jersey and presented the Town with a plaque on the history of the name Clinton. Mr. Clinton Cort and his wife, Sandy, have been visiting cities named Clinton all over the Country and we were Number 19! Clinton is his family name and he shared information about DeWitt Clinton, former Governor of New York and our namesake. It was such a pleasant meeting and they simply loved Clinton, New Jersey!
5. Many thanks to Art Dysart, Water Superintendent, Steve Higgins, Foreman, and Business Administrator, Rich Phelan for their work on leak detection and repairs. Art recorded the calculations which show the large amounts of unaccounted water loss. Basically, we need to calculate the amount of water we pump/treat versus the amount that we bill for and if there is a difference, that is what is considered "unaccountable". However, the Town is allowed to deduct water for things life CFD trainings, fires when hydrants are used, water lost during breaks, water used for well maintenance that we keep track of. To that end, Mayor Kovach is pleased to say that once we make the allowable deductions, we are hovering around 11% unaccountable. The states gives utilities the benchmark of 15% to try and achieve and the Mayor is glad to see that the proactive work we have been doing in recent years is paying off. This is part of our asset management plan for the Town and proves our efforts to DEP.
6. Mayor Kovach had the pleasure of interviewing Brigadier General Lisa J. Hou of the New Jersey National Guard on Monday. They spoke about Veteran's Haven, the initiatives and the work overall of Military and Veteran's Affairs.
7. Letters from 4th graders at CPS following Government Week. The children wrote letters and asked questions which Mayor Kovach will respond to. Copies will be scanned to share with Council.

8. Met with CPS 6th graders today, they have a new unit on Civics and asked Mayor Kovach to talk to them about what it is Council does and how local government works. They are also going to be assisting by writing letters to the Senate Environment Committee to encourage them to support S861 which is the bill to allow for Christmas Tree burning. Mayor Kovach will deliver all the letters and those of residents and neighboring municipalities to the State House on Monday, May 15, 2023.

PRESENTATION OF PROCLAMATION EMS WEEK

Mayor Kovach called members of the Squad headed by Chief Frank Setnicky, Sharon Burnham, Rich Deane, Tyler Klutkowski, Ashley Vorndran, Avery Garriques, Kyle Howard, Chris Miller, Walt Dorf and Faistoma Starcher, and read a proclamation in honor of Emergency Services. The South Branch Emergency Services is an outstanding group of people and we thank them every day for their services.

VETERAN'S HAVEN NORTH PRESENTATION

David Culley, Superintendent of Veteran's Haven North, Glen Gardner, attended this evening with Karl Vanderhyde, a former resident and now an employee. Mr. Culley gave a detailed and impressive description of the facility that is run by the New Jersey Department of Military and Veterans Affairs. The facility is a transitional housing program for homeless veterans and is comprised of a diverse team of professionals specializing in psychosocial rehabilitation, social services, addictions, vocational rehabilitation and nursing. All treatment is individualized with the purpose of attaining realistic life goals and instilling hope and wellness to maximize community reintegration. Their vision is to provide services to the veterans guided by principles of excellence and quality. There is a Veteran's Service Officer on premises to assist veterans in obtaining entitlements. There is someone available at all times. Karl Vanderhyde gave a brief introduction of his interaction with Veteran's Haven North, how he came to live there, get on his feet and become an active employee, from driving people to their appointments down to taking care of the pond there with coy fish. The men would like to get residents interacting with the community and invites people to visit there. Clinton Fire Department is hosting some of the residents to a Grill Night. Other events in Town may be nice to join in as well. Great presentation!

SOLID WASTE REFUND

Nancy Burgess is requesting a refund of \$49.50 for a property that is commercial and should not have been billed for solid waste. A motion was made by Mr. Traphagen, seconded by Ms. Padmos, to issue the refund as requested.

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

Vote all ayes
Motion carried

INTRODUCTION OF ORDINANCE #23-09

A motion was made by Mr. Kashwick, seconded by Ms. Johnson, to introduce Ordinance 23-09 on first reading as submitted:

ORDINANCE 23-09

BOND ORDINANCE PROVIDING FOR THE RESURFACING OF NEW STREET IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$340,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF

\$177,300 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF
THE COST THEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Town of Clinton, in the County of Hunterdon, New Jersey (the "Town") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$340,000, including a \$162,700 grant expected to be received from the State of New Jersey Department of Transportation's Fiscal Year 2023 Municipal Aid Program (the "State Grant"). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is being provided for the costs of the project since the project is partially funded by the State Grant.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$177,300 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the resurfacing of New Street, including, without limitation, pavement resurfacing, storm drainage inlet modifications and installation of ADA-compliant handicapped ramps and further including all work and materials necessary therefor and incidental thereto.

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

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

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$177,300, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$55,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received, other than those referred to in Section 1 hereto, shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Vote all ayes
Motion carried

A summary of this ordinance will be published in the Hunterdon Review May 17, 2023 edition. A public hearing will be held June 14, 2023.

INTRODUCTION OF ORDINANCE #23-10

A motion was made by Mr. Perloff, seconded by Mr. Traphagen, to introduce Ordinance #23-10 as submitted:

ORDINANCE 23-10

BOND ORDINANCE PROVIDING FOR THE ROUTE 173 AND LEIGH STREET PEDESTRIAN PROJECT IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$270,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$80,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Town of Clinton, in the County of Hunterdon, New Jersey (the "Town") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$270,000, including a \$190,000 grant expected to be received from the State of New Jersey Department of Transportation's Local Aid Infrastructure Fund Program (the "State Grant"). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is being provided for the costs of the project since the project is partially funded by the State Grant.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$80,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the Route 173 and Leigh Street Pedestrian Project, including, without limitation, the installation of curbs and sidewalks along Route 173, the replacement of sidewalks and the installation of storm drains on Leigh Street and the installation of ADA-compliant handicapped ramps and further including all work and materials necessary therefor and incidental thereto.

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

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

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the

description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$80,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$45,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received, other than those referred to in Section 1 hereto, shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Vote all ayes
Motion carried

A summary of this ordinance will be published in the Hunterdon Review May 17, 2023 edition. A public hearing will be held June 14, 2023.

RESOLUTION #91-23 – CHAPTER 159

A motion was made by Mr. Kashwick, seconded by Ms. Johnson, to adopt Resolution #91-23 as submitted:

RESOLUTION – #91-23

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget and,

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and,

WHEREAS, the Town of Clinton has received \$3,000,000.00 from the State of New Jersey and wishes to amend its 2023 budget to include this amount as a revenue.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Clinton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2023 in the sum of \$3,000,000.00 which is now available as a revenue from:

Miscellaneous Revenues

Special Item of General Revenue Anticipated with Prior Written
Consent of the Director of Local Government Services:
Public and Private Revenues Off-Set with Appropriations:
Police Office of Emergency Management Facility, and

BE IT FURTHER RESOLVED, that a like sum of \$3,000,000.00 is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from the .5% Cap
Public and Private Programs Off-Set by Revenues:
Police Office of Emergency Management Facility:
Other Expenses

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

Vote all ayes
Motion carried

INTRODUCTION OF ORDINANCE #23-11 – ACQUISITION OF PROPERTY

A motion was made by Mr. Perloff, seconded by Ms. Johnson, to introduce Ordinance #23-11 on first reading as submitted:

ORDINANCE # 23-11

ORDINANCE AUTHORIZING THE PURCHASE OF PROPERTY DESIGNATED AS BLOCK 21, LOT 27 (59 Old Highway 22)

WHEREAS, Jamison C. Taylor, LLC (the “Property Owner”) is the owner of Block 21, Lot 27 in the Town of Clinton (the “Property”); and

WHEREAS, the Town of Clinton (the “Town”) wishes to acquire the Property for public purposes, specifically to establish a new police department headquarters; and

WHEREAS, the Town and the Property Owner agreed on a purchase price of \$820,000.00; and

WHEREAS, the Town will be funding the purchase through the use of grant monies; and

WHEREAS, the Town authorized the execution of a Purchase and Sale Agreement pursuant to a Resolution adopted by the Mayor and Council on May 10, 2023, which made the Town’s purchase of the Property conditioned upon the passage of the within Ordinance; and

WHEREAS, the New Jersey Local Land and Buildings Law, N.J.S.A. 40A:12-3, *et seq.*, requires adoption of an ordinance to authorize the acquisition of the Property.

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. Subject to the availability of funds described herein, the Town is hereby authorized acquire the Property as referenced hereinabove for the amount of \$820,000.00

SECTION 2. The Mayor and Clerk are hereby authorized and directed to take all necessary actions and execute all necessary documents, including but not limited to a deed of conveyance, HUD-1 settlement statement, affidavit of title, and such other closing documents in order to authorize both the acquisition and conveyance of the Property.

SECTION 3. This Ordinance shall take effect after final passage and publication as prescribed by law.

Vote all ayes
Motion carried

A copy of this Ordinance will be published in the Courier News edition May 14, 2023. A public hearing will be held May 24, 2023.

Councilwoman Johnson thanked Mayor Kovach for her efforts is obtaining a \$3,000,000 grant from the State towards the purchase and reconstruction of a new police department.

RESOLUTION #92-23 – LIQUOR LICENSE RENEWAL

A motion was made by Mr. Perloff, seconded by Ms. Padmos, to renew the liquor license for LIYO INN as submitted:

RESOLUTION # 92-23

WHEREAS, the Town of Clinton Governing Body is in receipt of an Application for the renewal of PLENARY RETAIL CONSUMPTION LICENSE (HOTEL/MOTEL EXCEPTION), #1005-36-004-009 for:

**A HUNTS MILL ASSOCIATES LLC
LIYO INN
111 ROUTE 173
CLINTON, NEW JERSEY 08809**

WHEREAS, the submitted application form is complete in all respects, fees have been paid and clearance has been received from the New Jersey Department of the Treasury;

NOW THEREFORE, BE IT RESOLVED, that the Town of Clinton Governing Body does hereby approve, effective July 1, 2023, renewal of the above captioned license for the 2023-2024 year and that a copy of this Resolution be forwarded to the Division of Alcoholic Beverage Control.

Vote all ayes
Motion carried

RESOLUTION #93-23 – LIQUOR LICENSE RENEWAL

A motion was made by Ms. Johnson, seconded by Mr. Perloff to adopt Resolution #93-23 renewing the liquor license for JD Spirits as submitted:

RESOLUTION #93-23

WHEREAS the Town of Clinton Governing Body is in receipt of an application for the renewal of PLENARY RETAIL DISTRIBUTION LICENSE # 1005-44-001-007 for:

**JD CORPORATION
41, 41 ½ & 43 OLD HIGHWAY ROUTE 22
CLINTON, NEW JERSEY 08809**

WHEREAS the submitted application form is complete in all respects, fees have been paid and clearance has been received from the New Jersey Department of the Treasury;

NOW THEREFORE BE IT RESOLVED, that the Town of Clinton Governing Body does hereby approve, effective June 30, 2023. Renewal of the above captioned license for the 2023-2024 year and that a copy of this Resolution be forwarded to the Division of Alcoholic Beverage Control.

Vote all ayes
Motion carried

RESOLUTION #94-23 – TAX LEIN REDEMPTION

A motion was made by Mr. Perloff, seconded by Ms. Johnson to adopt Resolution #94-23 as submitted:

RESOLUTION #94-23

WHEREAS, the Tax Collector of the Town of Clinton has been paid \$15,819.32, the amount necessary to redeem Tax Sale Certificate #21-00001 and the current charge of \$1,107.67 on Block 23, Lot 13, assessed to CDP Wargo LLC., and struck off to the Town of Clinton;

NOW THEREFORE BE IT RESOLVED, on this 10th day of May 2023 by the Mayor and Council of the Town of Clinton, County of Hunterdon, that the Tax Collector be authorized to cancel the municipal lien on Block 23, Lot 13;

BE IT FURTHER RESOLVED that the Mayor and Clerk be authorized to endorse the Tax Sale Certificate.

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

Vote all ayes
Motion carried

RESOLUTION #95-23 – SUPPORT OF MEDICAID REIMBURSEMENT RATES

Mr. Traphagen explained the South Branch Emergency Services is one of the lowest reimbursed squads in the nation. A motion was made by Mr. Traphagen, seconded by Ms. Johnson, to adopt Resolution #95-23 as submitted:

RESOLUTION #95-23

SUPPORT FOR BILLS S2946 AND A4505

WHEREAS, New Jersey's Medicaid reimbursement rate for Emergency Medical Services (EMS) Basic Life Support transportation is \$58.00 per trip, and

WHEREAS, this rate is reported to be the lowest rate in comparison to neighboring states and is among the lowest nationwide, and

WHEREAS, the rate of \$58.00 per trip has been in existence since 1994 and is no longer sustainable for the EMS system, and

WHEREAS, the New Jersey EMS system is facing a critical staffing crisis, rising costs due to inflation, and the emergency medicine industry becoming more complex,

NOW, THEREFORE BE IT RESOLVED, that Hunterdon County endorses bills S2946 and A4505 which increase the EMS Medicaid transportation rate to \$200.00 per trip, which better aligns with rates imposed by neighboring states.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the offices of:

Governor Phil Murphy
Senator Nicholas Scutari, Senate President
Senator M. Teresa Ruiz, Senate Majority Leader
Senator Steven Oroho, Republican Leader
Senator Douglas Steinhardt
Senator Andrew Zwicker
Assemblyman Craig Coughlin, Assembly Speaker
Assemblyman Erik Peterson
Assemblyman John DiMaio
Assemblyman Roy Freiman
Assemblyman Sadaf Jaffer

and to the governing bodies of nearby municipalities.

Vote all ayes
Motion carried

RESOLUTION #96-23 – SPECIAL LEGAL SERVICES

A motion was made by Ms. Johnson, seconded by Mr. Traphagen, to adopt Resolution #96-23 as submitted:

RESOLUTION # 96-23

RESOLUTION AUTHORIZING THE EXECUTION OF A LEGAL SERVICES AGREEMENT WITH BARON & BUDD, P.C. AND COSSICH, SUMICH, PARSIOLA & TAYLOR LLC FOR SPECIAL LEGAL SERVICES

WHEREAS, the Town of Clinton (the “Town”) operated and maintains a municipal water system; and

WHEREAS, Per- and polyfluoroalkyl substances (“PFAS”) including, but not limited to, Perfluorononanoic acid (“PFNA”), perfluorooctanoic acid (“PFOA”), and/or perfluorooctane sulfonic acid (“PFOS”) have been detected in the Town’s water system; and

WHEREAS, on March 14, 2023, the Environmental Protection Agency (“EPA”) announced proposed National Primary Drinking Water Regulations for PFAS; and

WHEREAS, the Town learned of a pending lawsuit relating to PFAS, in which Dupont among others have been named as defendants for their role in manufacturing PFAS;

WHEREAS, the Town desires to weigh its options and seek to recover the substantial costs necessary to treat the Town’s water system to maintain levels of PFNA, PFOA, and/or PFOS in compliance with any EPA regulations; and

WHEREAS, Baron & Budd, P.C. and Cossich, Sumich, Parsiola & Taylor LLC are able to provide legal services to the Town with respect to damages, compensation, and other relief to which the Town may be entitled as a result of an action to be filed by the above-referenced firms on behalf of the Town against the manufacturer(s) and supplier(s) of firefighting foam products (known as “aqueous film forming foam” or “AFFF”) and/or other products containing PFAS, PFOA or PFOS, and any other related compounds; and

WHEREAS, the Town now desires to enter into a Legal Services Agreement for special legal services by and between the City and Baron & Budd, P.C. and Cossich, Sumich, Parsiola & Taylor LLC, a copy of which is attached hereto; and

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

WHEREAS, the Legal Services Agreement reflect a contingency fee, which does not require the Town to pay any fees under the Agreement unless there is a monetary recovery in the

anticipated litigation.

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

1. The Mayor and Clerk are authorized to execute the Legal Services Agreement in substantially the same form as attached hereto and any other ancillary documents necessary to effectuate the intent and objectives of the Legal Services Agreement and this Resolution.
2. This Agreement is awarded without competitive bidding as a “Professional Service” under the provision of the Local Public Contracts Law, N.J.S.A. 40A:11-5.
3. This Resolution shall take effect upon proper publication in accordance with applicable law.

Vote all ayes
Motion carried

The purpose of this agreement will include the Town of Clinton’s participation in a class action law suit and if successful, the pay out can be used to off set the cost of treating water differently under DEP requirements.

RESOLUTION #97-23 – INVASIVE SPECIES

A motion was made by Mr. Kashwick, seconded by Mr. Perloff, to adopt Resolution #97-23 as submitted:

RESOLUTION # 96-23

RESOLUTION SUPPORTING LEGISLATION TO MITIGATE THE IMPACTS OF INVASIVE SPECIES

WHEREAS, invasive species are considered the second greatest threat to biodiversity after outright habitat destruction; and

WHEREAS, New Jersey has been severely impacted by a wide variety of invasive species, causing harm to agricultural and natural lands, leading to economic and ecological losses; and

WHEREAS, legislation has been introduced in the state senate and assembly to regulate invasive species and form the New Jersey Invasive Species Council to address the mitigation of the impacts of invasive species; and

WHEREAS, this legislation (S2186/A3677) “prohibits sale, distribution, or propagation of certain invasive plant species without permit from Department of Agriculture; establishes NJ Invasive Species Council”.

NOW, THEREFORE, BE IT RESOLVED by the Town of Clinton that the governing body supports this legislation and ask that the Assembly and Senate pass this legislation quickly and expeditiously; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the offices of:

Governor Phil Murphy
Senator Nicholas Scutari, Senate President
Senator M. Teresa Ruiz, Senate Majority Leader
Senator Steven Oroho, Republican Leader
Senator Bob Smith, Chair, Senate Environment and Energy Committee
Senator Douglas Steinhardt

Senator Andrew Zwicker
Assemblyman Craig Coughlin, Assembly Speaker
Assemblyman Erik Peterson
Assemblyman John DiMaio
Assemblyman Roy Freiman
Assemblyman Sadaf Jaffer
and to the governing bodies of nearby municipalities.

Vote all ayes
Motion carried

RESOLUTION #98-23 – PURCHASE OF PROPERTY

A motion was made by Mr. Traphagen, seconded by Ms. Padmos, to adopt Resolution #98-23 as submitted:

RESOLUTION # 98-23

RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A CONTRACT TO PURCHASE BLOCK 21, LOT 27 (59 Old Highway 22)

WHEREAS, the Town of Clinton (the “Town”) has negotiated to purchase Block 21, Lot 27 (the “Property”) for the purposes of establishing a new police department headquarters; and

WHEREAS, funds are available from the Police Office and Emergency Management Grant that was awarded to the Town; and

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

4. The Mayor and Clerk are hereby authorized to execute a contract in substantially the same form as attached hereto for the purchase of the Property, which contract will be subject to the adoption of an ordinance authorizing the purchase of the Property and other conditions.
5. This Resolution shall take effect immediately.

Vote all ayes
Motion carried

The purchase of this property is contingent upon the adoption of Ordinance #23-11.

CORRESPONDENCE

1. SAFE in Hunterdon is honoring Patrick Gavin, President and CEO, Hunterdon Health on Thursday, June 1, 2023 at the Prallsville Mill. If interested in attending, see Clerk Covino.
2. Hunterdon County is holding a public hearing for the proposed sale of the property commonly known as the Hunterdon County Transfer Station/Materials Recovery Facility, Petticoat Lane, Clinton Township, NJ. Hearing scheduled for June 6, 2023 at 5:30 p.m. and a second reading June 27, 2023 at the Clinton Township Public Safety Building, 1370 Route 31N, 3rd Floor, Annandale, NJ 08801.
3. Two junior firefighters have joined the Clinton Fire Department, Howard and Russell Wintermute.

REPORTS OF COUNCIL

Councilman Perloff

1. Continuing on the water gallons being down for three consecutive months, 10M gallons less in February, 7M down in March and 6.7 M gallons down for April. Superintendent Dysart organized a meeting with the engineer as to a plan of attack to start mapping out the area of identifying galvanized pipes. The initial results are consistent with the numbers Art gave but look into other areas and hope to resolve all by the end of the year.
2. Discussed with the Water Engineers why we did not get the community project funding that was submitted and get a better understanding of why. Mayor Kovach stated Senator Booker made the submission not Senator Kean's office and does not believe we have the final answer yet. Councilman Perloff said the engineer thought it was and will double check. Councilman Perloff did state the Senator Kean has several other opportunities for other grants. In June lead and copper testing containers will be distributed to the participating addresses, the same addresses every three years. Hydrant flushing will continue through August.
3. Talked with representatives at the League regarding AirB&Bs and will meet again on Monday at 3:00 p.m. to further discuss. In the discovery phase at this time but the Economic Development Committee will be researching and asking for sample ordinances.
4. Unable to attend the Chamber Dinner May 17, 2023, Councilwoman Padmos will be attending.
5. Economic Development Committee – unable to attend the meeting but encourage communications with the joint committees to discuss website updates.
6. Clinton Guild get together this evening was well attended. Folks can now become Friends of the Guild without having to be a business owner. Check out the website. This past weekend was very busy in Town! “New vs Old” with Daily Dose having their soft opening and Made to Order celebrating 45 years! Sunday, May 21st will be exciting! Home Tweet Home bird house contest 12:00 to 4:00 p.m. on Main Street. Art Museum 70th Anniversary Block Party, Red Mill Museum Village 10am to 3pm Wheels for the Wheel. May 26 starts Come Together Music on Main Street set on four stages throughout Town. June 3 Red Mill British Car Show. June 4 will be the 8th annual HAM IT UP! at the Art Museum and June 9 will be the Flag Day Parade. Police will make their presentation on bicycle safety and electric vehicles this year.
7. Bonfire – Recreation V.P. Sean Rogan is collecting letters of support for the State Environmental Commission meeting on May 15, 2023. Mayor Kovach will be bringing the letters. Liz Halpin asked if the 2nd graders could write letters of support in the “persuasive writing” class. Teacher Liz Hedden suggested the project!
Farmer's Market is officially outside the Community Center now! They would like to have another ribbon cutting this Sunday.
The Vintage Baseball game was rained out and no alternate date has been chosen.
July 7 is the Whitehouse Wind Symphony at the Red Mill. sponsored by Rec. Com.
August 25 is movie night also at the Red Mill sponsored by Rec. Com.
September 9 will be the Town Picnic, rain date of September 16 needs to be confirmed.
September 23 is car pool cinema at Hunts Mill Park sponsored by the Guild.
8. Councilmen Bruno and Perloff will be attending the Frenchtown Memorial Day Parade, open to anyone else that may be interested. Step off 10:00 a.m. at the school.

9. Tentatively set for June 13, a Small Business Educational Series to be presented by Chris Phelan of the Chamber and Paul Muir, President of the Clinton Guild. NJEA Small Business grants workshop to be held at the Clinton Community Center.

Councilman Kashwick

1. Environmental and Shade Tree Commissions will meet next week but had a successful Arbor Day celebration honoring Dan Shea. Thanks to Council members Traphagen, Perloff and Padmos for attending. Thank you to Councilman Bruno for the utility mark outs. Thank you to JCP&L who attended and donated \$500 toward the arbor day tree and the tree tubes for the saplings. Denise Birmingham did a great job with the 3rd graders instructing them on planting. Mayor Kovach and Councilman Kashwick have been looking into grants for the takedown of trees in the Knolls and Pond Ridge. Resident sent an email about a tree on Busher Place which will be a priority. Reached out to Lou Spanner on the inspection of trees at Halstead St. Park now that they are blooming.
2. Attended a spring dendrology course at Duke Farms on May 6 with Kim Stentz and Denise Birmingham. Tree identification and a lot of information in the four hour course. The attendees earned CEU's for the year by attending.
3. Attended the Sustainable Jersey Summit on May 5. Deputy Commissioner DOT, topic pedestrian safety. Questioned where is the Town of Clinton being able to install the crosswalk by the Clinton House?
4. Will team up with Mario Cavallaro of Clinton Township for the Green Fair and EV car Show July 8, 2023 at Bundt Park in Clinton Township 10:00 a.m. to 1:00 p.m. The event is being co-sponsored by Clinton Township, Clinton Town and High Bridge. Working on an ad to be in the newsletter.
5. Submitting what has been gathered to Sustainable Jersey website for certification for the May 12 round but unable to get 150 points with this submission but hope to get more things together for the July 27 submission. Green Grounds Maintenance Policy, Farmers Market and Community Outreach and Education. Next even planned is Night Sky/Firefly Festival to highlight light pollution. Committee will screen a film called Dark Sacred Nigh by filmmaker Jared Flesher. Features a Princeton professor who shows the impacts of light pollution on wildlife, night skies and human health, June 24 at the Red Mill.
6. Clinton Conservancy weeding/spring clean-up at Millview Park along Water Street 10:00 a.m. on Saturday.
7. Platinum brunch June 4, 2023 at the Clinton Fire House.

Councilwoman Johnson

1. Buildings and Grounds discussed the trees in the Community Center playground area near the swings. A 3D fly over video of the park is now on the website.
2. Partnership for Wellness is offering a free sound meditation at the Wellness Center on May 17, 2023 at 6:00 p.m. Free vision screenings will be held at the County for folks that do not have insurance on May 25, 5:00 to 7:00 p.m. Appointments needed.

3. TEACHER APPRECIATION WEEK! Show your love! PTO volunteers and parents do a great job as always.

Councilman Traphagen

1. Historic Commission – Save the Date! June 10, 2023 Tour of Bonnell’s Tavern followed by the 2nd annual fundraiser Garden Party on Center Street.
2. County library air conditioner work has been completed, much quieter for the neighbors.
3. South Branch Emergency Services reported 306 calls for the month of April, 1,292 YTD and since the beginning of 2023, 12 new volunteers have joined which is great news!

Councilwoman Padmos

1. Booster Club has sent out invitations available on the Friends of the Parks and Events facebook page. June 23 will be the 2nd annual Color Run, rain date June 25, 5:30 p.m. to 7:00 p.m. Kona Ice, Dr. D and prizes will be given out! Great night following the run, Grill Night and Music on Main! All funds raised go to the playground project. When an installation date is decided, an announcement will go out for folks to volunteer to disassemble current equipment and mulch removal.

STANDBY AND OVERTIME

A motion was made by Ms. Johnson, seconded by Mr. Traphagen to approve the standby and overtime attached to these minutes for the period of April 14 through April 27, 2023.

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

Vote all ayes
Motion carried

PAYMENT OF BILLS

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

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

Vote all ayes
Motion carried

ADJOURNMENT

There being no further business, a motion was made by Ms. Johnson seconded by Mr. Perloff to adjourn the meeting at 9:13 p.m.

Cecilia Covino, RMC/CMC
Municipal Clerk

Janice Kovach, Mayor