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Flag Salute.

Roll Call: Bruno, Dineen, Humphrey, Johnson, Perloff, Traphagen, Mayor Kovach

STATEMENT OF ADEQUATE NOTICE:

Mayor Kovach read the following statement: “Adequate notice of this meeting has been provided, indicating the time and place of the meeting and the proposed agenda, which notice was posted, made available to newspapers, and filed with the Clerk of the Town of Clinton in accordance with Section 3(d) of Chapter 231 of the Public Laws of 1975.”

Mayor Kovach welcomed the public to the hybrid meeting and explained how the meeting will be run by reading the following statement :

NJSA 10:4-8(b) authorizes municipalities to conduct public meetings through use of streaming services and other online meeting platforms. Recently adopted P.L. 2020, c.11 amends OPMA to clarify that in times of emergency public bodies may vote, accept public comment and cause a meeting to be open to the public via electronic means.

The Town of Clinton is a public meeting as well as using ZOOM Video Meetings. Please be aware that this meeting is being recorded for the public record.

Please use the chat feature in ZOOM to indicate that you wish to be recognized for a comment or a question. You must provide your name and address to be recognized. You can also type in your questions. Feel free going forward to email councilmeeting@clintonnj.gov with any questions or concerns between meetings.

Please feel free to reach out with a note at jkovach@clintonnj.gov anytime!

APPROVAL OF MINUTES

A motion was made by Mr. Perloff, seconded by Mr. Humphrey, to approve the minutes of the Council meeting and the executive session of June 8, 2022 as submitted.

Vote all ayes
1 Abstention (Mayor Kovach)
Motion carried

PUBLIC COMMENTS - NONE

MAYOR’S COMMENTS

Bears have been wandering through Town and Mayor Kovach is encouraging residents to take down bird feeders and secure garbage cans. The Town of Clinton Police Department has officers, who have been trained by the NJ Division of Fish and Wildlife, specifically on how to handle black bear/human encounters.

If you are experiencing an emergency, nuisance or damage problem related to bears, please contact the Town of Clinton Police at 911 or (908) 735-8611 or the Division of Fish and Wildlife at (908)735-8793.

2. Energy Receipts Tax (ERT) – monies due to municipalities from the State, the Governor introduced an anchor program and not sure if it will be and/or ERT, it will not be as fully funded as expected but will be a huge benefit to the Town to receive something.
3. Mayor Kovach has been receiving complaints about the work at the A&P site. If anyone is experiencing noise before 7 a.m., contact the police non-emergency number, 908-735-8611.
4. AMC was seeking location to film “Isle of the Dead”. Clinton was in the running as the perfect location but was too far out, therefore, they have chosen another location.
5. Hunterdon County library on Halstead Street looks fantastic! The County updated the landscaping and put in picnic tables. Thank you to the County for the nice improvements!
6. The Town of Clinton was awarded the Economic Development Grant in the amount of \$5,000.00.

SWEARING IN OF ALEX JASZYN – CLINTON POLICE DEPARTMENT

Mayor Kovach administered the Oath of Office to Patrolman 10th Class, Alex Jaszyn. Patrolman Jaszyn was accompanied by his parents and his girlfriend, Laura. A round of applause!!

DISTRIBUTION OF 2021 ANNUAL AUDIT

Council has received copies of the 2021 Annual Audit for their review. A group affidavit will be passed at the next meeting confirming that Council has reviewed the document.

RESOLUTION #102-22 – CLINTON HOUSE LIQUOR LICENSE RENEWAL

A motion was made by Mr. Perloff seconded by Ms. Johnson, to adopt Resolution #102-22 as submitted:

RESOLUTION # 102-22

WHEREAS, the Town of Clinton Governing Body is in receipt of an application for the renewal of **PLENARY RETAIL CONSUMPTION LICENSE, #1005-33-003-008** for:

**SIDIROUNDA, L.L.C.
t/a THE CLINTON HOUSE
2 WEST MAIN STREET
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, 2022 renewal of the above captioned license for the 2022-2023 year and that a copy of this Resolution be forwarded to the Division of Alcoholic Beverage Control.

Vote all ayes
Motion carried

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RESOLUTION #103-22 – HUNTERDON ART MUSEUM CLUB LICENSE RENEWAL

A motion was made by Mr. Perloff, seconded by Mr. Humphrey, to adopt Resolution #103-22 as submitted:

RESOLUTION # 103-22

WHEREAS the Town of Clinton Governing Body is in receipt of an application for the renewal of **CLUB LICENSE # 1005-31-005-001** for:

**HUNTERDON ART MUSEUM
A NJ NOT FOR PROFIT CORPORATION
9 LOWER CENTER STREET
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, 2022 through June 31, 2023 year and that a copy of this Resolution be forwarded to the Division of Alcoholic Beverage Control.

Vote all ayes
Motion carried

RESOLUTION #104-22 – CLEAN COMMUNITIES GRANT CHAPTER 159

A motion was made by Mr. Humphrey, seconded by Mr. Perloff, to adopt Resolution #104-22 as submitted:

RESOLUTION # 104-22

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 \$5,827.22 from the State of New Jersey and wishes to amend its 2022 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 2022 in the sum of \$5,827.22 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:

Clean Communities Grant Program, and

BE IT FURTHER RESOLVED, that a like sum of \$5,827.22 is hereby appropriated under the caption of: General Appropriations

- (a) Operations Excluded from the .5% Cap
Public and Private Programs Off-Set by Revenues:

Clean Communities Grant:

Other Expenses

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

Vote all ayes
Motion carried

RESOLUTION #105-22 – REDISCOVER HUNTERDON GRANT APPLICATION

A motion was made by Mr. Perloff, seconded by Mr. Traphagen, to adopt Resolution #105-22 as submitted:

RESOLUTION #105-22

RESOLUTION AUTHORIZING THE SUBMISISON OF A GRANT THROUGH THE HUNTERDON COUNTY OFFICE OF ECONOMIC DEVELOPMENT & TOURISM

WHEREAS the Town of Clinton has recently been made aware of a grant opportunity through the Hunterdon County Office of Economic Development & Tourism (HCOEDT); and

WHEREAS the Hunterdon County Economic Development Grant Program (EDGP) provides funding to Hunterdon municipalities looking to explore, create, or implement programs, policy, or procedure consistent with the goals and objectives of the HCOEDT; and

WHEREAS the Town of Clinton Economic Development Committee (TOCEDC) is desirous in applying for funding under the above-referenced County program in accordance with the attached terms and conditions.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Town of Clinton hereby endorses the submission of the grant application through the Hunterdon County Economic Development Grant Program, and authorizes the Mayor to sign the attached letter to start the application process.

BE IT FURTHER RESOLVED that a copy of this resolution, along with the executed letter referenced above, be forwarded to the Hunterdon County Economic Development & Tourism Office.

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

Vote all ayes
Motion carried

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RESOLUTION #106-22 – SUMMER RECREATION SALARY RESOLUTION

A motion was made by Ms. Johnson, seconded by Mr. Perloff, to adopt Resolution #106-22 as submitted:

RESOLUTION #106-22
2022 SALARY RESOLUTION

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

That the following position titles and employees within the Town of Clinton in the County of Hunterdon, the respective salaries or compensation set forth below are hereby fixed as the maximum amounts to be paid for the year 2022:

<u>POSITION</u>	<u>SALARY</u>
David Henry, Senior Counselor	\$18.00
Logan Rogers, Senior Counselor	\$18.00

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

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

Vote all ayes
Motion carried

INTRODUCTION OF ORDINANCE #22-08

Attorney St. Angelo explained the purpose of this ordinance and recognized there needed to be a few amendments. This ordinance will require creditors to file an annual \$500 registration fee for abandoned and foreclosed properties. If the property is left to fall into disrepair or unkept lawn, the Town can go after the creditor, not the property owner. A motion was made by Mr. Humphrey, seconded by Ms. Johnson, to introduce Ordinance #22-08 as amended.

ORDINANCE NO. 22-08

**ADDING CHAPTER 28 OF THE CODE OF THE TOWN OF CLINTON ENTITLED
“ABANDONED AND FORECLOSED REAL PROPERTY REGISTRATION”**

WHEREAS, the Mayor and Council of the Town of Clinton have determined that an addition of Chapter 28 to the Code of the Town of Clinton entitled “Abandoned and Foreclosed Real Property Registration” are necessary; and

WHEREAS, the present mortgage foreclosure crisis has serious negative implications for all communities trying to manage the consequences of property vacancies and abandoned real properties subject to foreclosure; and

WHEREAS, the Town of Clinton is challenged to identify and locate responsible parties of foreclosing parties who can maintain the properties that are in the foreclosure process or that have been foreclosed; and

WHEREAS, the Town of Clinton finds that the presence of vacant and abandoned properties can lead to a decline in property value, create attractive nuisances and lead to a general decrease in neighborhood and community aesthetic; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the governing body of a municipality is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Municipality by law; and

WHEREAS, pursuant to P.L. 2021, c. 444, the governing body of a municipality is authorized to adopt or amend ordinances creating a property registration program for the purpose of identifying and monitoring properties within the municipality for which a summons and compliant in an action to foreclosure on a mortgage has been filed, regulate the care, maintenance, security and upkeep of such properties, and impose a registration fee on the mortgagee of such properties; and

WHEREAS, the Town of Clinton has already adopted property maintenance codes to regulate building standards for the exterior of structures and the condition of the property as a whole; and

WHEREAS, the Town of Clinton has a vested interest in protecting neighborhoods against decay caused by vacant and abandoned properties and concludes that it is in the best interests of the health, safety, and welfare of its citizens and residents to impose registration and certification requirements on abandoned, vacant, and foreclosure properties located within the Town; and

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Town of Clinton, in the County of Hunterdon and State of New Jersey, and it is hereby enacted and ordained by the authority of same as follows:

SECTION 1. That the Mayor and Council of the Town of Clinton do hereby amend The Town of Clinton Code, by creating Chapter 28, entitled “Abandoned and Foreclosed Real Property Registration,” to read as follows:

CHAPTER 28

ABANDONED AND FORECLOSED REAL PROPERTY REGISTRATION.

§28-1. Purpose and Intent:

It is the purpose and intent of the Town of Clinton to establish a process to address the increasing amount of abandoned, foreclosed, and distressed real property located within the Town, and to identify, regulate, limit and reduce the number of abandoned and vacant properties located within the Town.

§ 28-2. Definitions:

The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning.

VACANT AND ABANDONED REAL PROPERTY – As defined in accordance with N.J.S.A. 40:48-2.12s3(b)(8), shall mean property that is not legally occupied by a mortgagor or tenant, which is in such condition that it cannot be legally reoccupied, because of the presence or finding of at least two of the following:

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- (a) overgrown or neglected vegetation;
- (b) the accumulation of newspapers, circulars, flyers, or mail on the property;
- (c) disconnected gas, electric, or water utility services to the property;
- (d) the accumulation of hazardous, noxious, or unhealthy substances or materials on the property;
- (e) the accumulation of junk, litter, trash, or debris on the property;
- (f) the absence of window treatments such as blinds, curtains, or shutters;
- (g) the absence of furnishings and personal items;
- (h) statements of neighbors, delivery persons, or government employees indicating that the property is vacant and abandoned;
- (i) windows or entrances to the property that are boarded up or closed off, or multiple window panes that are damaged, broken, and unrepaired;
- (j) doors to the property that are smashed through, broken off, unhinged, or continuously unlocked;
- (k) a risk to the health, safety, or welfare of the public or any adjoining or adjacent property owners due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property;
- (l) an uncorrected violation of a municipal building, housing, or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;
- (m) the mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;
- (n) a written statement issued by a mortgagor expressing the clear intent of all mortgagors to abandon the property; or
- (o) any other reasonable indicia of abandonment.

APPLICABLE CODES - means to include, but not be limited to, the Town of Clinton's Zoning Code, the Town of Clinton's Code of Ordinances ("Town Code"), and the New Jersey Building Code.

CREDITOR – As defined in accordance with N.J.S.A. 40:48-2.12s2(d), means state-chartered bank, savings bank, savings and loan association or credit union, any person required to be licensed under the provisions of the "New Jersey Residential Mortgage Lending Act," sections 1 through 39 of P.L.2009, c.53 (N.J.S.A.17:11C-51 through 17:11C-89), and any entity acting on behalf of the creditor named in the debt obligation including, but not limited to, servicers. For purposes of this section, a "creditor" shall not include the State, a political subdivision of the State, or a State, county, or local government entity, or their agent or assignee, such as the servicer.

ENFORCEMENT OFFICER - means any law enforcement officer, building official, zoning inspector, code enforcement officer, fire inspector or building inspector, or other person authorized by the Town of Clinton to enforce the applicable code(s).

FORECLOSURE – means the legal process by which a mortgagee terminates a mortgagor's interest in real property either to obtain legal and equitable title to the real property pledged as security for a debt or to force a sale of said property to satisfy a debt. For purposes of this article, this process begins upon the service of a summons and complaint on the mortgagor or any interested party. For purposes of this article, the process is not concluded until the property is sold to a bona fide purchaser not related to the mortgagee in an arm's length transaction whether by Sheriff's sale, private sale following a Sheriff's sale, or private sale following the vesting of title in the mortgagee pursuant to a judgment.

MORTGAGEE - means the creditor, including but not limited to, lenders in a mortgage agreement; any agent, servant, or employee of the creditor; any successor in interest; or any assignee of the creditor's rights, interests, or obligations under the mortgage agreement, excluding governmental entities as assignee or owner.

PROPERTY MANAGEMENT COMPANY - means a local property manager, property Maintenance Company or similar entity responsible for the maintenance of abandoned real property.

VACANT - means any building or structure that is not legally occupied.

§ 28-3. Applicability:

These sections shall be considered cumulative and not superseding or subject to any other law or provision for same, but rather be an additional remedy available to the Town of Clinton above and beyond any other state, county or local provisions for same.

§ 28-4. Establishment of a Registry.

Pursuant to the provisions of Section 28-5, the Town of Clinton or its designee shall establish a vacant and abandoned property registry containing the information required by this Chapter.

§ 28-5. Registration of Property.

- a) Any creditor who holds a mortgage or equity lien on real property located within the Town of Clinton shall perform an inspection of the property to determine vacancy or occupancy, upon the commencement of foreclosure as evidenced by a foreclosure filing. The creditor shall, within ten (10) days of the inspection, register the property with the Code Enforcement Official, or its designee, on forms or website access provided by the Town of Clinton, and indicate whether the property is vacant or occupied. A separate registration is required for each property, whether it is found to be vacant or occupied.
- b) If the property is occupied but remains in foreclosure, it shall be inspected by the creditor or his designee monthly until (1) the mortgagor or other party remedies the foreclosure, or (2) it is found to be vacant or shows evidence of vacancy at which time it is deemed abandoned, and the mortgagee shall, within ten (10) days of that inspection, update the property registration to a vacancy status on forms provided by the Town of Clinton.
- c) Registration pursuant to this Section shall contain the name of the creditor and the servicing entity, if any, the direct mailing address of the mortgagee and the servicing entity, a direct contact name and telephone number for both parties, facsimile number and e-mail address for both parties, the folio or tax number, and the name and twenty-four (24) hour contact telephone number of the property management company responsible for the security and maintenance of the property.
- d) A non-refundable annual registration fee in the amount of \$500.00 per property, shall accompany the registration form or website registration. On each anniversary date of the initial registration, the creditor shall submit a renewal registration and fee in the sum of \$500.00 in accordance with this Section 28-5.

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- e) If the property is not registered, or the registration fee is not paid within thirty (30) days of when the registration or renewal is required pursuant to this section, a late fee equivalent to ten percent (10%) of the annual registration fee shall be charged for every thirty-day period (30), or portion thereof, that the property is not registered and shall be due and payable with the registration.
- f) All registration fees must be paid directly from the creditor, Mortgagee, Servicer, or Trustee. Third Party Registration fees are not allowed without the consent of the Municipality and/or its authorized designee.
- g) This section shall also apply to properties that have been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale.
- h) Properties subject to this section shall remain under the annual registration requirement, and the inspection, security and maintenance standards of this section as long as they remain in foreclosure.
- i) Any person or legal entity that has registered a property under this section must report any change of information contained in the registration within ten (10) days of the change.
- j) Failure of the creditor to properly register or to modify the registration form from time to time to reflect a change of circumstances as required by this Chapter is a violation of the Chapter and shall be subject to enforcement.
- k) Pursuant to any administrative or judicial finding and determination that any property is in violation of this Chapter, the Town of Clinton may take the necessary action to ensure compliance with and place a lien on the property for the cost of the work performed to benefit the property and bring it into compliance.
- l) Registration of foreclosure property does not alleviate the creditor from obtaining all required licenses, permits and inspections required by applicable code or State Statutes.
- m) If the mortgage and/or servicing on a property is sold or transferred, the new creditor is subject to all the terms of this Chapter. Within ten (10) days of the transfer, the new creditor shall register the property or update the existing registration. The previous Mortgagee(s) will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during that creditor's involvement with the Registrable Property.
- n) If the creditor sells or transfers the Registrable Property in a non-arm's length transaction to a related entity or person, the transferee is subject to all the terms of this Chapter. Within ten (10) days of the transfer, the transferee shall register the property or update the existing registration. Any and all previous unpaid fees, fines, and penalties, regardless of who the Mortgagee was at the time registration was required, including but not limited to unregistered periods during the Foreclosure process, are the responsibility of the transferee and are due and payable with the updated registration. The previous creditor will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during that creditor's involvement with the Registrable Property.

§ 28-6. Maintenance Requirements:

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- a) Properties subject to this chapter shall be kept free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspapers, circulars, flyers, notices, except those required by federal, state or local law discarded personal items including, but not limited to, furniture, clothing, large and small appliances, printed material or any other items that give the appearance that the property is abandoned.
- b) Properties subject to this chapter shall be maintained free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure.
- c) Front, side, and rear yards, including landscaping, shall be maintained in accordance with the applicable code(s) at the time registration was required.
- d) Yard maintenance shall include, but not be limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or bark or artificial turf/sod designed specifically for residential installation. Acceptable maintenance of yards and/or landscape shall not include weeds, gravel, broken concrete, asphalt or similar material.
- e) Maintenance shall include, but not be limited to, watering, irrigation, cutting and mowing of required ground cover or landscape and removal of all trimmings.
- f) Pools and spas shall be maintained so the water remains free and clear of pollutants and debris and shall comply with the regulations set forth in the applicable code(s).
- g) Failure of the mortgagee and/or owner to properly maintain the property may result in a violation of the applicable Code(s) and issuance of a citation or Notice of Violation in accordance with this Chapter, Chapter 45 (“Brush, Grass, and Weeds”), Chapter 107B (“Property Maintenance”), Chapter 115 (“Snow and Ice Removal”), and Chapter 122 (“Streets and Sidewalks”) of the Town of Clinton’s Code. Pursuant to a finding and determination by the Town's Code Enforcement Officer or a Court of competent jurisdiction, the Town of Clinton may take the necessary action to ensure compliance with this section. .
- h) In addition to the above, the property is required to be maintained in accordance with the applicable Code(s).

§ 28-7. Security Requirements:

- a) Properties subject to these Sections shall be maintained in a secure manner so as not to be accessible to unauthorized persons.
- b) A “secure manner” shall include, but not be limited to, the closure and locking of windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure. Broken windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure must be repaired. Broken windows shall be secured by reglazing of the window.

- c) If a mortgage on a property is in default, and the property has become vacant or abandoned, a property manager shall be designated by the mortgagee to perform the work necessary to bring the property into compliance with the applicable code(s), and the property manager must perform 6232

regular inspections to verify compliance with the requirements of this Chapter, and any other applicable laws.

§ 28-8. Public Nuisance:

All vacant and abandoned real property is hereby declared to be a public nuisance, the abatement of which pursuant to the police power is hereby declared to be necessary for the health, welfare and safety of the residents of the Town of Clinton.

§ 28-9. Violations and Penalties:

Any person who shall violate the provisions of this Chapter shall be cited and fined by one or more of the following: a fine not less than \$500.00 or exceeding \$1,250.00.

Any person who is convicted of violating this Chapter within one year of the date of a previous violation of the same Section, and who was fined for the previous violation, shall be sentenced by a Court to an additional fine as a repeat offender. The additional fine imposed by the Court upon a person for a repeated offense shall not be less than the minimum or exceed the maximum fine fixed for a violation of this Chapter, but shall be calculated separately from the fine imposed for the violation of this Chapter.

§ 28-10. Inspections for Violations:

Adherence to this Chapter does not relieve any person, legal entity or agent from any other obligations set forth in any applicable Code(s), which may apply to the property. Upon sale or transfer of title to the property, the owner shall be responsible for all violations of the applicable Code(s).

§ 28-11. Additional Authority:

- a) If the Enforcement Officer has reason to believe that a property subject to the provisions of this Chapter is posing a serious threat to the public health safety and welfare, the Code Enforcement Officer may temporarily secure the property at the expense of the mortgagee and/or owner, and may bring the violations before a Court of competent jurisdiction as soon as possible to address the conditions of the property.
- b) The Code Enforcement Officer shall have the authority to require the mortgagee and/or owner of record of any property affected by this section, to implement additional maintenance and/or security measure including, but not limited to, securing any and all doors, windows or other openings, employment of an on-site security guard or other measures as may be reasonably required to help prevent further decline of the property.
- c) If there is a finding that the condition of the property is posing a serious threat to the public health, safety and welfare, then the Code Enforcement Officer may direct the Municipality to abate the violations and charge the mortgagee with the cost of the abatement.
- d) If the mortgagee does not reimburse the Town of Clinton for the cost of temporarily securing the property, or of any abatement directed by the code enforcement board or special magistrate,

within thirty (30) days of the Town sending the mortgagee the invoice, then the Town of Clinton may lien the property with such cost, along with an administrative fee of \$500.00 to recover the administrative personnel services.

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§ 28-12. Opposing, Obstructing Enforcement Officer; Penalty:

Whoever opposes, obstructs or resists any enforcement officer or any person authorized by the Code Enforcement Office in the discharge of duties as provided in this chapter shall be punishable as provided in the applicable Code(s) or a Court of competent jurisdiction.

§ 28-13. Immunity of Enforcement Officer:

Any enforcement officer or any person authorized by the Town of Clinton to enforce the Sections here within shall be immune from prosecution, civil or criminal, for reasonable, good faith entry upon real property while in the discharge of duties imposed by this Chapter.

SECTION 2. Severability. Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION 3. Repealer. All prior Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

SECTION 4. When Effective. This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

Vote all ayes
Motion carried

A summary of this ordinance will be published in the Hunterdon Review June 29, 2022 edition. A public hearing will be held July 27, 2022.

PROCLAMATION – JULY AS PARK & RECREATION MONTH

July 1985 marked the first celebration and endorsement of National Park and Recreation Month. Mayor Kovach read the Proclamation sent by New Jersey Recreation and Park Association. During the month of July, a statewide initiative to invite communities to celebrate by signing the Proclamations, completing the Park and Recreation Bingo Games, Participate in various TikTok Challenges and celebrating Park and Rec Professional Day on July 15 by taking photos of activities in local, county or state parks and sharing them on social media using the #NJRPA.

WATER REFUNDS and RAFFLE REFUND

Water Collector, Nancy Burgess, is requesting water refunds for Lillian Carey in the amount of \$5.57 and Ashley Cozze in the amount of \$61.53.

Clerk Covino is requesting a refund in the amount of \$60.00 that was received from Matthew Loscialo with a raffle application. The fee was not necessary and needs to be refunded. A motion was by Ms. Johnson, seconded by Mr. Perloff, to approve the refunds as requested.

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

Vote all ayes
Motion carried

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RESOLUTION #107-22 – PARK DESIGN

A motion was made by Ms. Johnson, seconded by Mr. Perloff, to adopt Resolution #107-22 as discussed;

RESOLUTION # 107-22

**A RESOLUTION AUTHORIZING SOLICITING PROPOSALS FOR PLAYGROUND
ENGINEERING AND DESIGN SERVICES**

WHEREAS, the Town of Clinton requires specialized engineering services in connection with the redevelopment of the Town of Clinton’s Municipal Playground located at 63 Halstead Street, Clinton, NJ 08809 (Block 16, Lot 21); and

WHEREAS, the Mayor and Council wish to draft a Request for Proposal for such services and solicit quotes from qualified engineering experts for such services; and

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

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

1. The Administrator, in consultation with the Town Attorney and Town Park Committee, is authorized to draft a Request for Proposals for Playground Engineering and Design Services and solicit proposals for such services; and
2. This Resolution shall take effect immediately.

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

Vote all ayes
Motion carried

CORRESPONDENCE

A letter of thanks from Mom’s Demand Action for the Town’s support in their efforts.

REPORTS FROM COUNCIL

Police Chief Kubinak

Chief Kubinak commented that Patrolman Alex Jaszyn is doing great!

Office of Emergency Management, Chief Kubinak is working with Attorney St. Angelo on the FEMA application.

National Night Out, August 2, 2022 at North Hunterdon High School, 5:00 p.m. to 9:00 p.m. Meet your neighbors & first responders!

CFO Kathy Olsen

No need to read the statement for the COVID relief at the beginning of the meeting, the program has ended.

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Councilman Perloff

Clinton Guild was happy with the road closure on Friday evenings on the bottom part of Lower Center. Good feedback from visitors, chairs in the street listening to music. Made for a very relaxed evening.

Mr. Perloff addressed Mr. Phelan and as he said, he blamed himself partially for the morning debacle of Main Street and East Main Street shut down for line striping. Shop owners asked for a little more notice so they can inform their tenants as well.

Recreation – several events planned: Town Picnic September 10 – rain date September 17

Kid movie night at the Red Mill – September 9

Canoe Races – September 25

Additional movie nights being planned for October at the park

Thursday, August 25, Red Mill – Premiere of “Haunting on the River”

Question of the Committee, additional recreation insurance was not renewed, does that impact basketball and other programs such as tennis? The answer was no, only basketball. Committee would love to see increase use of the fields as well. A resident requested the field for youth practice season in July and Mr. Perloff was assured by Mr. Dysart and Mr. Phelan that it would be readied for him. Rec also asked if Clinton Public School had to pay for the use of the fields and the answer is no, never. If the school was used for anything, the cost was for the custodian that had to be on duty while occupied, a State law. Ms. Johnson said the school does not charge for summer recreation to be held there.

The Rec Committee brought forth a wonderful idea of recognizing Bill and the Clinton Community Youth Association aka CCYA Leadership for their dedication to the program over the last 8 years. Mayor Kovach loved the idea and will have a proclamation prepared.

Bids will be accepted for the tennis court/pickle ball park design on Thursday, June 30, 2022 at 10:00 a.m.

Town Picnic plans are underway, question for Ms. Johnson, any word on the fireworks? Ms. Johnson replied they do not return her calls, however, Ms. Johnson alerted Kristina Tuxhorn and Laura Burr and they are on top of it! Bounce houses, insurance questions remain as to whether or not to move ahead with them.

Hunterdon Games Olympics is scheduled for August 20, rain date August 21, Finn Park, Union Township. Eight Hunterdon Towns are interested, bring a team or volunteers to help out! Mr. Perloff's wife, Allison, has offered to make team shirts!

Economic Development Commission – a subcommittee has been created for business outreach and to update the website.

Councilman Humphrey

Economic Development Commission met Tuesday, June 14 and decided to form various committees, communications, reaching out to the head of the County EDC to create a logo, and to start gathering

stories from residents as to why they love Clinton, why they chose to live here and shop! Starting in the Fall, the committee truly believes we will be executing the branding of Clinton. Very exciting meetings and Mr. Humphrey would like to thank the committee and everyone involved.

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Clinton Fire Department – Grill Night this Friday, June 24, 2022 5:30 p.m. to 8:30 p.m. Please support our volunteer fire department!

Environmental Commission met June 13, 2022. Welcomed intern, Jessica Roberts, to re-energize the Green Team. The Team has not met since before COVID and kicking it back up we could earn our Bronze status.

Mr. Humphrey has been meeting with Economic Development chairs county wide and sharing ideas. Since the Town has not held a town dinner to recognize volunteers since before COVID, the idea of holding Clinton round table in town hall in an informal setting, to bring people together to meet and get to know the inner happenings. Suggested date to start would be Saturday, September 17, 2022 at 8:30 a.m. The town picnic is also that day, so some discussion to take place before it is etched in stone.

Councilman Traphagen

Historic Commission – Garden Party went very well, a great event and everyone had a very good time! \$2,600 was raised for the façade grant program and two new applications have been received!

Rescue Squad reported 468 calls in May, 350 up over last year. Request made by the squad to receive their donation check from the Town earlier, possibly 50% up front and 50% later. Ms. Olsen stated their audit must be submitted prior.

Councilwoman Johnson

Summer recreation starts July 5, 2022, registration is closed! Clinton Public School year is now over, congratulations to all the graduates. Construction on the playground will begin soon.

Booster Club Color Run has 62 registrants and raised \$3,500 already! Dr. D to entertain and Kona Ice will be on hand. First lap will for children with sensory issues or physical disabilities and the Clinton Public School multi disable program is sponsoring.

Adult fundraiser will be held at the Sunken Silo on Route 22 West. “Pints for the Park” will be held August 26, 2022. Cave crickets will entertain and \$1 oyster night courtesy of Metropolitan Seafood. Thank you to Mary “Molly” Padmos for the wonderful idea!

In recognition of June, Pride Month, Andrea Ippolito talked to Paul Muir and Guild members, and asked for their support in allowing pride flags displayed along Main Street. Support was given and Andrea and her son, Jack, purchased the flags and walked the bridge and street displaying them. The next day, the flags were taken. The very next day, Elizabeth Halpin and her son Kiernan, repeated the flag display, happy to say they are still there! Councilwoman Johnson said we are a welcoming community and thank you to the mom’s and their sons, Jack Ippolito, Kiernan Halpin and Rory Harris, for helping with their show of support and community!! Great moms raising great kids!

Mayor Kovach

Mayor Kovach has a tv show where she interviews mayors from around New Jersey. During an interview with Mayor Nicole Gillespie of Moorestown Township, Burlington County, they zoomed into the Clinton

Public School second graders who asked questions and made it clear “they want a pool”! Emma Johnson asked Mayor Kovach, “who do you work with”? Great interaction.

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Personal notes: Councilman Traphagen announced his mother has retired from CPS after 19 years of service! Congratulations to her!

Mayor Kovach offered a personal note: Daughter, Taylor and son in law, Joe, have welcomed a baby boy!

Councilman Bruno

Board of Health – met and moving the rabies clinic to October 22, 2022 this year. Same drive through process will take place from 8:00 am to 11:00 am

Shade Tree Commission discussed a 2022 NJUCF Stewardship Grant that the commission would like to apply for. It can only be used for tree planting or inventories, not for removal or maintenance or anything to do with ash trees. The grant requires a 25% match. The plan is to apply for a \$20,000 and use \$3,000 from their budget and \$2,000 in kind for the match. Mr. Phelan will review the DCA rules and regulations. A motion was made by Mr. Bruno, seconded by Mr. Perloff to authorizing the commission to apply for the grant contingent upon Mr. Phelan’s review.

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

Vote all ayes
Motion carried

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 May 27 through June 9, 2022.

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

Vote all ayes
Motion carried

Mayor Kovach asked for a motion authorizing CFO, Kathy Olsen, to pay the bills before the next meeting of July 27, 2022, council only meets once a month in July and August. A motion was made by Mr. Perloff, seconded by Mr. Bruno, authorizing Ms. Olsen to pay the bills as requested.

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

Vote all ayes
Motion carried

PAYMENT OF BILLS

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

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

Vote all ayes
Motion carried

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ADJOURNMENT

There being no further business, a motion was made by Ms. Johnson seconded by Mr. Humphrey to adjourn the meeting at 8:31 p.m.

Cecilia Covino, RMC/CMC
Municipal Clerk

Janice Kovach, Mayor