

Flag Salute.

Roll Call: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach

**STATEMENT OF ADEQUATE NOTICE:**

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

Mayor Kovach welcomed the public to the public meeting and further explained how the meeting will be run via zoom 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 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](mailto:councilmeeting@clintonnj.gov) with any questions or concerns between meetings.

Please feel free to reach out with a note at [jkovach@clintonnj.gov](mailto:jkovach@clintonnj.gov) anytime!

**SWEARING IN OF OFFICERS**

Mayor Kovach invited Joseph Pietraszewski to the front of the room with family members and friends looking on. Joseph repeated the oath given by Mayor Kovach while Joseph’s dad held the Bible. Officer Pietraszewski was sworn to the position of Patrolman 10<sup>th</sup> Class.

Once again, Mayor Kovach invited Andrew Lerner to the front with family and friends looking on. Andrew repeated the oath given by Mayor Kovach while Andrew’s dad held the Bible. Officer Lerner was sworn to the position of Patrolman 10<sup>th</sup> Class as well!

A round of applause and picture taking filled the room. Welcome aboard, gentlemen!

**APPROVAL OF MINUTES**

A motion was made by Ms. Karsh, seconded by Ms. Johnson, to approve the council minutes of July 14 and July 28, 2021 as submitted.

Vote all ayes  
Motion carried

**APPROVAL OF MONTHLY REPORTS**

A motion was made by Ms. Karsh, seconded by Ms. Johnson, to accept the monthly reports for July as submitted.

Vote all ayes  
Motion carried

**PUBLIC COMMENTS – NONE**

**MAYOR’S COMMENTS**

1. A letter of resignation was received from David Kelleher, member of the Recreation Committee. A motion was made by Ms. Intrabartola seconded by Ms. Johnson to accept his resignation with regrets.

Vote all ayes  
Motion carried
2. A recommendation to appoint Gil Swenson to the Recreation Committee was made by Ms. Intrabartola, seconded by Ms. Johnson.

Vote all ayes  
Motion carried
3. A recommendation was made to appoint Whitney Wetherill to the Shade Tree Commission, motion made by Mr. Traphagen, seconded by Ms. Dineen.

Vote all ayes  
Motion carried
4. A groundbreaking celebration of View 22, 49 Old Highway 22, (site of the old A&P) will be held Wednesday, September 22, 2021, 5:00 – 7:00 PM
5. Red Mill Museum Village is holding an invitation to celebrate the restoration of the Tenant House on the grounds of the village, September 9, 2021 from 4:00 -7:00 PM
6. Communities are confronting and combating Antisemitism proactively by adopting resolutions and recognizing there is a growing problem in America.
7. Hunterdon County’s Remembrance Ceremony for the 20<sup>th</sup> anniversary memorial service of 9/11 will be held on a large scale in Hunterdon County in Flemington. First responders to be honored. Beginning 8:30 a.m. on the steps of the Historic Hunterdon County Courthouse. Dr. Jean Kanokogi, is the Guest Speaker.

**PUBLIC HEARING OF ORDINANCE #21-19 – TRAFFIC REGULATIONS ON PRIVATE OR SEMI- PUBLIC ROADWAYS**

A motion was made Ms. Johnson, seconded by Ms. Dineen, to open the public hearing of Ordinance #21-19:

ORDINANCE #21-19

ORDINANCE AUTHORIZING ENFORCEMENT OF TRAFFIC REGULATIONS UPON THE PRIVATE OR SEMI-PUBLIC ROADWAYS AND PARKING AREAS WITHIN THE DEVLEOPMENT OF OLD 22 URBAN RENEWAL ASSOCIATES, LLC (BLOCK 21, LOT 32)

Vote all ayes  
Motion carried

Ms. Dineen requested a brief explanation of this ordinance since it has been so long since it was introduced. Chief Kubinak explained this is considered quasi/public property and will be required to enforce laws on the property.

There being no further questions, a motion was made by Ms. Dineen, seconded by Ms. Karsh, to close the public portion of the meeting.

Vote all ayes  
Motion carried

A motion was made by Ms. Dineen, seconded by Ms. Intrabartola, to adopt Ordinance #21-19 upon final reading.

ROLL CALL: Ayes: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach

Vote all ayes  
Motion carried

**PUBLIC HEARING OF ORDINANCE #21-20 – PROHIBITS SMOKING OF MARIJUANA IN PUBLIC PLACES**

A motion was made by Ms. Karsh, seconded by Ms. Johnson, to open the public hearing of Ordinance #21-20:

**ORDINANCE #21-20  
ORDINANCE PROHIBITING THE SMOKING OF MARIJUANA IN PUBLIC PLACES**

Vote all ayes  
Motion carried

Updating the current ordinance of no smoking in public parks and other recreational fields within the Town of Clinton.

There being no further public comment, a motion was made by Ms. Intrabartola, seconded by Ms. Dineen, to close the public portion of the meeting.

Vote all ayes  
Motion carried

A motion was made by Ms. Karsh, seconded by Ms. Johnson, to adopt Ordinance #21-20 on final reading.

ROLL CALL: Ayes: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach

Vote all ayes  
Motion carried

**INTRODUCTION OF ORDINANCE # 21-21 - C-1 ZONE – CLUB LICENSE**

A motion was made by Ms. Dineen, seconded by Ms. Karsh, to introduce Ordinance #21-21 on first reading as submitted:

**ORDINANCE #21-21**

**ORDINANCE PERMITTING NON-PROFIT CLUBS, LODGES, AND FRATERNAL, CIVIC, AND CHARITABLE ORGANIZATIONS IN THE C-1 ZONE AND PERMITTED THE ISSUANCE OF A CLUB LIQUOR LICENSE**

**WHEREAS**, pursuant to N.J.S.A. 40:55D-62b, the Mayor and Council of Town of Clinton (the “Council”) is authorized and empowered to adopt and amend the zoning ordinances of the Town of Clinton; and

**WHEREAS**, the Town’s Downtown Commercial (C-1) District already includes at least one operating non-profit club; and

**WHEREAS**, the Town Code only permits “Nonprofit clubs, lodges and fraternal, civic and charitable organizations” in the OB-1 District; and

**WHEREAS**, the Town Land Use Board has determined this ordinance is consistent with the goals and objectives of the Town’s Master Plan Reexamination adopted on December 6, 2018; and

**WHEREAS**, the Mayor and Council have determined, based upon advice from the Town Planner, that “nonprofit clubs, lodges and fraternal, civic and charitable organizations” are inappropriate uses for the C-1 District; and

**WHEREAS**, Section 32-3(D) of the Town Code states, “The annual license fees and maximum number of licenses for the sale or distribution of alcoholic beverages in the town shall be as provided in Chapter 73, Fees;”

**WHEREAS**, Chapter 73 does not set forth the number of licenses; and

**WHEREAS**, pursuant to N.J.S.A. 33:1-12(5) a club liquor license can only be issued to a non-profit and only permits the sale of alcohol to “bona fide” club members.

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

**SECTION 1.** Section 88-53(B) of the Code of the Town of Clinton (“Code”) regarding permitted uses in the “Downtown Commercial District” is amended to add the following as a permitted use:

(10) Nonprofit clubs, lodges and fraternal, civic and charitable organizations

**SECTION 2.** Section 73-3, entitled “Schedule of Fees and Charges” shall be amended as follows (Additions noted in bold italics *thus* and deletions noted with a strikethrough ~~thus~~):

Club license	<b><i>(2 permitted)</i></b>	\$188.00
Plenary retail distribution license	<b><i>(1 permitted)</i></b>	\$2,500.00
Plenary retail consumption license	<b><i>(1 permitted)</i></b>	\$2,500.00

**SECTION 3.** All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

**SECTION 4.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 5.** The Town Clerk is hereby directed, upon adoption of this ordinance after public hearing, to publish notice of the passage thereof and to file a copy of this ordinance with the Hunterdon County Planning Board as required by N.J.S.A. 40:55D-16.

**SECTION 6.** This Ordinance shall take effect upon final passage, publication, and filing with the Hunterdon County Planning Board, all in accordance with the law.

Vote all ayes  
Motion carried

A notice will be published in the August 28, 2021 edition of the Courier News. A public hearing will be held September 8, 2021.

**SPECIAL EVENT APPLICATION – RUN O’THE MILL**

A motion was made by Ms. Intrabartola, seconded by Ms. Johnson to approve the Run O’the Mill 5K event for Saturday, March 12, 2022 as requested.

Vote all ayes  
Motion carried

**RESOLUTION #124-21 –PURCHASE OF F250 FORD PICKUP**

A motion was made by Ms. Dineen, seconded by Ms. Johnson to adopt Resolution #124-21 as submitted:

**RESOLUTION # 124-21**

WHEREAS, the Town of Clinton wishes to purchase Ford F350 Pickup Truck from an authorized vender under the Morris County Cooperative Purchasing Program;

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, DFFLM, LLC has been awarded the Morris County Coop Contract #15-C, Item #11; and

WHEREAS, the purchasing agent recommends the utilization of this contract on the grounds that it represents the best price available; and

WHEREAS, the actual cost for the Ford F350 Pickup Truck is expected not to exceed \$44,509.75; and

WHEREAS, the Chief Financial Officer has certified the availability of \$44,509.75 under the Capital Budget, Ordinance 21-14;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Clinton, that DFFLM, LLC be awarded a contract for the purchase of a Ford F350 Pickup Truck.

ROLL CALL: AYES: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach

Vote all ayes  
Motion carried

**RESOLUTION #125-21 – PURCHASE OF F350 FOR PICKUP**

A motion was made by Ms. Johnson, seconded by Ms. Karsh to adopt Resolution #125-21 as submitted:

**RESOLUTION #125-21**

WHEREAS, the Town of Clinton wishes to purchase Ford F250 Pickup Truck from an authorized vender under the Morris County Cooperative Purchasing Program;

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, DFFLM, LLC has been awarded the Morris County Coop Contract #15-C, Item #9; and

WHEREAS, the purchasing agent recommends the utilization of this contract on the grounds that it represents the best price available; and

WHEREAS, the actual cost for the Ford F250 Pickup Truck is expected not to exceed \$49,264.75; and

WHEREAS, the Chief Financial Officer has certified the availability of \$49,264.75 under the Water Utility Capital Budget, Ordinance 21-13;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Clinton, that DFFLM, LLC be awarded a contract for the purchase of a Ford F250 Pickup Truck.

ROLL CALL: AYES: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach

Vote all ayes  
Motion carried

**RESOLUTION #126-21 – REVERSAL OF SEWER BILLING**

A motion was made by Ms. Dineen, seconded by Ms. Karsh, to adopt Resolution #126-21 as submitted:

**RESOLUTION #126-21**

**WHEREAS** 23 West Main Street, Block 25, Lot 19, was destroyed by fire in May, 2016, and

**WHEREAS** the building was demolished and utilities to the site were discontinued; and

**WHEREAS** billing to the site should have been discontinued at that time, however, it was recently discovered that billing for sewer continued due to the fact there was a small balance that kept accumulating, and

**WHEREAS** the amount for six quarters, dating back to March, 2020 through the current billing of June, 2021, the amount outstanding is \$7,500.00,

**NOW THEREFORE BE IT RESOLVED**, that reversal in said amount be made, billing discontinued and no further billing until rebuilding at the location is made;

**NOW, THEREFORE BE IT FURTHER RESOLVED**, by the Mayor and Council of the Town of Clinton that the above mentioned location in the name of Clinton Management Group, be removed from the utility program and the amount of \$7,500.00 be removed from the account.

ROLL CALL: AYES: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach

Vote all ayes  
Motion carried

**RESOLUTION #127-21 – HIRING OF OFFICER ANDREW LERNER**

A motion was made by Ms. Johnson, seconded by Ms. Intrabartola to adopt Resolution #127-21 as submitted:

**RESOLUTION #127-21**

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

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

**WHEREAS**, the Police Chief and Police Committee recommend that the following person be hired to fill the open position at the level of 10<sup>th</sup> Class Police Officer at the 2021 rate of \$57,960.89;

**ANDREW LERNER**

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Town of Clinton hire Andrew Lerner to fill the open position at the Town of Clinton Police Department effective August 2, 2021.

Vote all ayes  
Motion carried

**RESOLUTION #128-21 – STORMWATER FACILITY & MAINTENANCE AGREEMENT**

A motion was made by Ms. Johnson, seconded by Mr. Traphagen, to adopt Resolution #128-21 as submitted:

**RESOLUTION # 128 -21**

**RESOLUTION AUTHORIZING EXECUTION OF STORMWATER FACILITY AND MAINTENANCE AGREEMENT**

**WHEREAS**, pursuant to Resolution 137-20 adopted on September 23, 2020, the Town designated Old 22 Urban Renewal Associates, LLC (the “Developer”) as the redeveloper of property designated as Block 21, Lots 29, 30.01, 31, 32 and 33 (the “Property”) on the Tax Map of the Town of Clinton and authorized the execution of a Redeveloper’s Agreement and Water Services Agreement; and

**WHEREAS**, on November 3, 2020, the Land Use Board adopted a resolution granting preliminary and final site plan approval subject to certain conditions (the “Resolution”); and

**WHEREAS**, one of such conditions is the execution and recording of a Stormwater Facility Maintenance Agreement, which is attached hereto as **Exhibit A**; and

**WHEREAS**, the Town Attorney and Town Engineer have reviewed and approved the attached Agreement; and

**WHEREAS**, in order to facilitate Developer's purchase of the Property, the Mayor and Clerk executed the attached Agreement and the Developer is holding the Agreement in escrow pending approval by the Town Council.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Council hereby authorizes the execution by the Mayor and Clerk of the Stormwater Facility and Maintenance Agreement in substantially the same form as attached hereto.

**BE IT FURTHER RESOLVED**, Developer is authorized to release the signed Agreement from escrow and record it in the Hunterdon County Clerk's Office.

Vote all ayes  
Motion carried

**RESOLUTION # 129-21 – CERTIFICATION OF ANNUAL AUDIT**

A motion was made by Ms. Dineen, seconded by Ms. Johnson, to adopt Resolution #129-21 verifying that Council has reviewed the annual audit received from the Town Auditor and thereby also signing a group affidavit that will be forwarded to the State of New Jersey along with the proof of publication.

**RESOLUTION # 129-21**

**CERTIFICATION OF ANNUAL AUDIT**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

**WHEREAS**, the Annual Report of Audit for the year 2020 as been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body, and

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

**WHEREAS**, the Local Finance Board has promulgated N.J.S.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations" and

**WHEREAS**, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations as evidenced by the group affidavit form of the governing body attached hereto; and,



**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

**WHEREAS**, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27 BB-54 to wit:

R.S.52:27 BB-52 – “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the (Director of Local Government Services), under provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of the Town of Clinton, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Vote all ayes  
Motion carried

**RESOLUTION #130-21 – AGREEMENT WITH NJ WATER SUPPLY AUTHORITY**

A motion was made by Ms. Karsh, seconded by Mr. Traphagen, to adopt Resolution #120-21 as submitted:

**RESOLUTION # 130-21**

**RESOLUTION AUTHORIZING THE EXECUTION OF A MUTUAL ACCESS  
AGREEMENT WITH NEW JERSEY WATER SUPPLY AUTHORITY**

**WHEREAS**, the New Jersey Water Supply Authority (the “Authority”) is the owner of property known as Block 16, Lot 23 in the Town of Clinton, County of Hunterdon, New Jersey, which includes a flow measuring weir and other improvements related to the operation of Spruce Run Reservoir (hereinafter referred to as “Authority Property”); and

**WHEREAS**, the Town of Clinton (the “Town”) is the owner of property known as Block 16, Lot 21 in the Town of Clinton, County of Hunterdon, New Jersey, on which the Clinton Community Center Park and Gebhardt Field are located (hereinafter referred to as “Park”); and

**WHEREAS**, the Town is the owner of unimproved property known Block 16, Lot 20.32 in the Town of Clinton, County of Hunterdon, New Jersey, (hereinafter referred to as “Access Parcel”), which connects Halstead Street to the Authority Property; and

**WHEREAS**, the Authority requires unrestricted access across the Access Parcel in order to undertake inspections, maintenance and other dam-related inquiries and projects with equipment and personnel on the Authority Property; and

**WHEREAS**, the Town requires use of a portion of the Authority Property upon which a section of Gebhardt Field is located, and has been located since at least 1931, for public access and recreation associated with the baseball field.

**WHEREAS**, the Town Council has determined that it is in the best interest of the Town to enter to a Mutual Access Agreement providing for the above-referenced access to properties by the Town and the Authority.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Town of Clinton, in the County of Hunterdon, that the Mayor and the Clerk are authorized to sign the Mutual Access Agreement in substantially the same form as attached hereto.

Vote all ayes  
Motion carried

**RESOLUTION #131-21 – BODY CAMERA GRANT**

A motion was made by Mr. Traphagen, seconded by Ms. Dineen, to adopt Resolution #131-21 as submitted:

**RESOLUTION #131-21**

**AUTHORIZING THE ACCEPTANCE OF THE STATE OF NEW JERSEY DEPARTMENT OF  
LAW AND PUBLIC SAFETY, OFFICE OF THE ATTORNEY GENERAL SFY21 BODY WORN  
CAMERA GRANT PROGRAM  
STATE FISCAL YEAR 2021**

**WHEREAS**, the Town of Clinton desires to accept funding in the amount of \$26,494.00 with no match under the SFY21 Body-Worn Camera Grant Program, State Account No. BFY21-100-066-1020-495, Award Number 21-BWC-435 Subaward Period: January 1, 2021 – December 31, 2025;

**WHEREAS**, the Town of Clinton has reviewed the accompanying application and has approved said requests; and

**WHEREAS**, this project is a joint effort between the Department of Law and Public Safety Office of the Attorney General and the Town of Clinton Police Department for the purpose described in the application.

**NOW, THEREFORE, BE IT RESOLVED**, on this 25<sup>th</sup> day of August, 2021, by the Mayor and Council of the Town of Clinton, County of Hunterdon, State of New Jersey, that:

1. As a matter of public policy, the Clinton Police Department wishes to participate to the fullest extent possible with the Department of Law and Public Safety, Office of the Attorney General;
2. The Attorney General will receive funds on behalf of the applicant;
3. The Office of the Attorney General will be responsible for the receipt and review of the application for said funds;
4. The Office of the Attorney General will initiate allocations to each applicant as authorized.

\_\_\_\_\_  
J. Cory Kubinak, Chief of Police

\_\_\_\_\_  
Richard Phelan, Business Administrator

\_\_\_\_\_  
Kathy Olsen CFO

\_\_\_\_\_  
Tara St. Angelo, Esq.

ROLL CALL: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach

Vote all ayes  
Motion carried

**RESOLUTION #132 – 21 – CANCELLATION OF TAXES**

A motion was made by Mr. Traphagen, seconded by Ms. Karsh, to adopt Resolution #132-21 as submitted:

**RESOLUTION # 132-21**

**CANCELLATION OF TAXES**

**WHEREAS**, Block 31, Lot 37 was never assessed until 2013;

**WHEREAS**, the Tax Assessor shows the ownership as “Unknown” and states that the property should be considered as an “Uncollectible”;

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Town of Clinton, County of Hunterdon and State of New Jersey, that the taxes due on Block 31, Lot 37 in the amount of \$66.20 for the year 2021 be cancelled, and

**BE IT FURTHER RESOLVED** that the Tax Collector be relieved from the obligation to collect that assessment.

ROLL CALL: AYES: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach

ROLL CALL: AYES: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach

Vote all ayes  
Motion carried

**RESOLUTION #133-21 – OVERPAYMENT OF TAXES**

A motion was made by Mr. Traphagen, seconded by Ms. Dineen, to adopt Resolution #133-21 as submitted:

**RESOLUTION # 133-21**

**WHEREAS**, the Tax Collector of the Town of Clinton has received overpayments for following block and lots,

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Town of Clinton that the Chief Financial Officer be authorized to refund the overpayments to the following accounts:

<b><u>BLOCK</u></b>	<b><u>LOT</u></b>	<b><u>OWNER</u></b>	<b><u>AMOUNT</u></b>
21	31	Old 22 Urban Renewal Assoc LLC	3,338.12

11                      16 C0113          River 49 LLC                      670.47

**BE IT FURTHER RESOLVED** that the Tax Collector remove the overpayments on the above block and lots for the 3rd quarter 2021.

Vote all ayes  
Motion carried

**RESOLUTION #134-21 – LOCAL FACADE IMPROVEMENT PROGRAM**

Councilman Traphagen explained the public-private partnership between the Town Historic Preservation Commission and the Red Mill Museum Village will provide grant money to assist property owners in the historic district improve the facades of their buildings.

A motion was made by Mr. Traphagen seconded by Ms. Dineen, to adopt Resolution #134-21 as submitted:

**RESOLUTION # 134-21**

**RESOLUTION SUPPORTING THE RED MILL MUSEUM VILLAGE’S CREATION OF A LOCAL FACADE IMPROVEMENT PROGRAM**

WHEREAS, the Town of Clinton was incorporated in 1865 and is home to many buildings that are historic in nature; and

WHEREAS, the Historic District of the Town of Clinton was approved in 1995 for inclusion on the New Jersey and National Registers of Historic Places; and

WHEREAS, in 1990, the Town of Clinton a Historic Preservation Commission was established to promote the conservation of historic areas and to promote a preservation of cultural, social and architectural history; and

WHEREAS, in order to further the mission of both the New Jersey and National Registers of Historic Places and the Town of Clinton Historic Preservation Commission, the Red Mill Museum Village and the Town of Clinton Historic Preservation Commission are proposing a “Public-Private Partnership” for the creation and a Historic Property Facade Improvement Grant Program for the purpose of by preserving and maintaining the historic nature of the Town of Clinton; and

WHEREAS, this grant program, which will be fully funded by the Red Mill Museum Village through the support of both corporate and individual donors, will provide eligible applicants with grant funds managed by the Red Mill Museum Village to assist in the rehabilitation/restoration of historic facades on structures within the historic district of the Town of Clinton; and

WHEREAS, it is proposed that a joint board of two (2) members of the Red Mill Museum Village Board of Trustees and three (3) members of the Town of Clinton Historic Preservation Commission serve as the entity that will review and approve all grant applications pursuant to the applicable application terms and conditions.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Town of Clinton hereby support the creation of this private grant program and approve its volunteer members of the Town’s Historic Preservation to be part of this venture.

Vote all ayes

Motion carried

**RESOLUTION #135-21 – HIRING OF LABORER FOR DPW**

A motion was made by Ms. Dineen, seconded by Ms. Johnson, to adopt Resolution #135-21 as submitted:

**RESOLUTION # 135-21**

**WHEREAS**, the Town of Clinton Water/Roads Department requires the hiring of one new Laborer, and;

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

**WHEREAS**, the Water Superintendent/Public Works Director recommends that the following person be hired to fill the open position at a rate of \$19.12 per hour;

VINCENT CERCA

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Town of Clinton hire Vincent Cerca to fill the open position of Laborer effective August 30, 2021.

Vote all ayes  
Motion carried

**RESOLUTION #136-21 – CONFRONTING ANTISEMITISM**

A motion was made by Ms. Karsh, seconded by Ms. Dineen, to adopt Resolution #136-21 as submitted:

**RESOLUTION #136-21**

**CONFRONTING AND COMBATING ANTISEMITISM IN OUR COMMUNITIES**

A resolution recognizing the growing problem of antisemitism in America and calling for the adoption of the International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism as an important educational tool to address it.

**WHEREAS** antisemitism, including harassment on the basis of actual or perceived Jewish origin, ancestry, ethnicity, identify, affiliation, or faith, remains a persistent, pervasive, and disturbing problem in American society;

**WHEREAS** Jews continue to be a targeted minority in the United States and are consistently the most likely of all religious groups to be victimized by incidents of hate, and such incidents are increasing at an alarming rate;

**WHEREAS** we acknowledge that following the attacks on the Tree of Life Synagogue in Pittsburgh, the Chabad of Poway in San Diego, a Kosher supermarket in Jersey City and a Chanukah gathering in Monsey, our synagogues felt compelled to re-evaluate their own security measures to keep their congregations safe;

WHEREAS the recent AJC (American Jewish Committee) *State of Antisemitism in America Report* found that more than one in three American Jews (37%) say they have been victims of antisemitism over the past five years;

WHEREAS Town of Clinton officials and institutions have a responsibility to protect citizens from acts of hate and bigotry, including antisemitism, and must be given the tools to do so;

WHEREAS valid monitoring, informed analysis and investigation, and effective policy-making all benefit from accurate and uniform definitions;

WHEREAS the International Holocaust Remembrance Alliance (IHRA), by consensus vote of its member states, adopted a Working Definition of Antisemitism in May 2016, which has become the internationally recognized, authoritative definition of antisemitism for use by governments and international organizations. That definition reads in full:

“Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”

“To guide IHRA in its work, the following examples may serve as illustrations:”

“Manifestations might include the targeting of the state of Israel, conceived as a Jewish collectivity. However, criticism of Israel similar to that leveled against any other country cannot be regarded as antisemitic. Antisemitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for “why things go wrong.” It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits.”

“Contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:”

- Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.
- Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
- Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.
- Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavor.
- Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.

- Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.
- Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- Holding Jews collectively responsible for actions of the state of Israel.

“Antisemitic acts are criminal when they are so defined by law (for example, denial of the Holocaust or distribution of antisemitic materials in some countries).”

“Criminal acts are antisemitic when the targets of attacks, whether they are people or property – such as buildings, schools, places of worship and cemeteries – are selected because they are, or are perceived to be, Jewish or linked to Jews.”

“Antisemitic discrimination is the denial to Jews of opportunities or services available to others and is illegal in many countries.”

WHEREAS the IHRA Working Definition has proven to be an essential tool used to help determine contemporary manifestations of antisemitism;

WHEREAS, in the United States, the IHRA Working Definition is utilized by various government agencies, including the U.S. Department of State and the U.S. Department of Education, and can be utilized by law enforcement agencies in monitoring, training, and education;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF CLINTON, NEW JERSEY that:

Section I: The Town Council of the Town of Clinton adopts the non-legally binding International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism in full.

Section II: The Town Council of the Town of Clinton will ensure that the IHRA Working Definition of Antisemitism is available as an educational resource for the Department of Police and other city agencies responsible for addressing antisemitism and other forms of discrimination.

Vote all ayes

Motion carried

### **WATER REFUND**

Nancy Burgess, Water Collector, has requested three refunds as follows. A motion was made by Ms. Dineen, seconded by Ms. Johnson, to approve the water refund for Hans Thomann, \$95.06.

ROLL CALL: AYES: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach

Vote all ayes

Motion carried

A motion was made by Ms. Johnson, seconded by Ms. Intrabartola, to approve the water refund for Rakesh Kumar in the amount of \$66.24.

ROLL CALL: AYES: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach

Vote all ayes  
Motion carried

A motion was made by Mr. Traphagen, seconded by Ms. Dineen, to approve the water refund for Michael Mc Casland in the amount of \$81.09.

ROLL CALL: AYES: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach

Vote all ayes  
Motion carried

### **SPECIAL EVENT - BLOCK PARTY**

A special event application was received from the residents of Goosetown Drive, to hold a block party on September 25, rain date, September 26, 2021. A motion was made by Ms. Dineen, seconded by Ms. Karsh, to approve the request as submitted.

Vote all ayes  
Motion carried

### **DISCUSSION OF PROPOSED HISTORIC DISTRICT DEMOLITION ORDINANCE**

Several members of the Historic Commission attended this evening's meeting to show support of the proposed ordinance which will outline rules regarding the demolishing of historic buildings. Rosemarie Platt, Roger Mellick, Kyle Perloff, Marcia Hansen, and Executive Director of the Red Mill Museum Village, Paul Muir, spoke in support of keeping the unique flavor of the Town and the buildings which are so important to the landscape. Mr. Muir read a letter into the record received from Preservation New Jersey which also supports the ordinance amending the code of the Town to add Article XV to require a review by the historic preservation commission prior to the issuance of demolition permits.

Paul Kipp, 31 West Main Street, bought his neighboring property years ago which was condemned and had it demolished due to the unsafe nature of the structure.

Councilwoman Karsh was concerned about proceeding with this ordinance this evening without a level of discussion and would like to have input of the residents that this ordinance would affect. Roger Mellick, HPC member, said this is a smart place to start and said it would follow guidelines of the Master Plan. Councilman Humphrey asked if it applies to only the homes with Historic designation or can it expand to other homes? A minimum permit fee would apply. Mayor Kovach suggested adding to section 2G that a historic architect in New Jersey, "historic preservation officer" be available for services in house.

Following a very interactive discussion, the ordinance will be revised by Attorney St. Angelo, and letters of the proposed ordinance will be mailed to all owners of historic homes in Town. The ordinance will return to the council agenda for the next meeting, September 8, 2021.

### **CORRESPONDENCE**

Letter received from New Jersey Historic Trust, Dorothy P. Guzzo, Executive Director, with reference to the Town of Clinton's letter in support of the 2021 Preserve New Jersey Historic Preservation Fund: Application for the M.C. Mulligan & Sons Quarry (Red Mill, Hunt's Mill), Clinton, Applicant: Red Mill Museum.



## **REPORTS OF COUNCIL**

### **Councilwoman Johnson**

1. September 30, 2021 is International Recovery Day and requested is we still have the purple lights on the building if they could be displayed for a week. August 31 is Drug Overdose Awareness in the County. Ms. Johnson's team works hard on getting the word out and the information for those in need.
2. Councilwomen Intrabartola and Johnson, along with the Recreation Committee supported the Wind Symphony that was held on the Red Mill.

Committee is trying to solidify a date for kid's movie night and Mr. Muir reported that Red Mill is planning a couple horror movies and possibly a series of Peanuts movies. In the front parking lot.

The Committee is proposing Community Center rentals and Field fees. A resolution with fees will be on the next council agenda. In the meantime, inform interested parties the fees are pending.

Applied for a couple grants through Game Time for playground project. Discussion regarding the missing slide and how to rebuild it temporarily until the complete project can be addressed. A meeting of the playground steering committee is being scheduled for the week of Monday, September 20, 2021.

### **Attorney Tara St. Angelo**

Ms. St. Angelo reported that a 167 page report of rules has been issued by the State on cannabis and Ms. St. Angelo is preparing a memo to council summarizing the legislation. State trying to fast track and by pass local municipalities concerns Mayor Kovach.

### **Councilwoman Karsh**

Clinton Guild celebrating "Women in Business Month" on Main Street. Encourage folks to check social media for acknowledgements.

Chris Butler from ReMax is asking for DPW assistance to remove bags of debris swept up behind the building. The owner removed trees but did not complete the clean up. The shop owners will sweep up and Mr. Phelan agreed to have DPW remove the bags.

The Guild encourages shoppers to park at the municipal building parking lot but concerns of crossing Old 22 remain. Ms. Karsh explained cars coming south on Leigh can turn right on red and cars coming north on Leigh have a green arrow to proceed to make the left. Pedestrians crossing and cars turning make for a challenging situation. Ms. Karsh asked if DOT can be contacted for possibly a "delayed green" sign? Mayor Kovach is not against contacting DOT. Chief Kubinak explained the crosswalk but also reported that the crosswalk at the Clinton House remains to be big concern. Chief Kubinak has been researching crosswalk signs and lights and visited other towns and is looking into them.

Councilwoman Karsh vacationed in Bar Harbor and remarked on the oversized mailboxes that held free face masks for shoppers and passed the info on to the Guild members for their consideration.

Another fun tidbit was the electronic signs that give a "thumbs up" to drivers when they pass following the speed limit! Cute idea!!

**Councilman Humphrey**

Environmental Commission met and is looking into new lids for recycling containers on Main Street that would prevent litter from flying around on windy days.

Newsletter is behind schedule due to a sudden leave of absence from our contact at the publishing company.

Mayor Kovach announced Women's Equality Day, August 26, 2021 celebrating 101 years!

**STANDBY AND OVERTIME**

A motion was made by Mr. Traphagen seconded by Ms. Johnson to approve the standby and overtime attached to these minutes for the period of July 23 through August 5 and August 6 through August 19, 2021.

ROLL CALL: Ayes: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach

Vote all ayes  
Motion carried

**PAYMENT OF BILLS**

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

ROLL CALL: Ayes: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach

Vote all ayes  
Motion carried

**ADJOURNMENT**

There being no further business, a motion was made by Ms. Johnson, seconded by Ms. Karsh to adjourn the meeting at 9:55 p.m.

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Cecilia Covino, RMC/CMC  
Municipal Clerk

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Janice Kovach, Mayor

