

Flag Salute.

Roll Call: Bruno (zoom -left meeting 8:24 pm), Johnson, Kashwick, Padmos, 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.”

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](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!

**APPROVAL OF MINUTES**

A motion was made by Mr. Perloff seconded by Ms. Johnson, to approve the minutes of the Council Meeting of August 23, 2023 as submitted.

Vote all ayes  
Motion carried

**APPROVAL OF MONTHLY REPORTS**

A motion was made by Mr. Perloff seconded by Ms. Johnson to approve the monthly reports for the month of August as submitted.

Vote all ayes  
Motion carried

**PUBLIC COMMENTS**

Liz Hedden, Second Grade teacher at Clinton Public School, expressed her sincere thanks and appreciation to Chief Kubinak and Special Resource Office Brian Testa, for the swift response to the school lock down that occurred recently. The children were not even aware of the situation as it was handled so calmly. Great job to everyone!

Ken Fisher, Leigh Street, questioned the petition being brought to Council this evening by the residents on Georges Place, to have the street closed off at Route 31 in anticipation of traffic coming from the proposed development, Clinton Commons, Moebus Tract. Mr. Fischer circulated a petition recently regarding the Route 78 overpass on Leigh Street and asked Mayor Kovach why it was not presented to

Council. Mayor Kovach explained that Mr. Fisher's petition was never received but it was addressed and supported by a resolution to the State DOT Commissioner and her staff. State engineers have been out to survey the situation mentioned in Mr. Fisher's petition. The resolution listing the issues raised and was approved by Council and forwarded to the State will be posted on the Town's website for anyone interested.

Brendan McIssac, Busher Place, was thankful to Mr. Kashwick and Shade Tree for the help received with the removal of a tree. Mr. McIssac stated he is running for the North Hunterdon-Voorhees School Board. He is currently on the Clinton Public School Board and has always appreciated the solid partnerships. Mr. McIssac has been an experienced educator for 29 years and feels confident being on the high school board is the right direction for him. He is looking to the community for support at the high school level.

### **MAYOR'S COMMENTS**

1. Pints for the Park was a great fundraiser at Sunken Silo.
2. The Hunterdon Games were held August 26, 2023 at Heritage Park, Bethlehem Township. Mayor thanked the great host and all who came out and participated and supported the games. The three top teams were Union, Tewksbury and Clinton Township. There will be a debrief on September 26 and hoping everyone stays involved and continues to be excited in having another event.
3. Ribbon cutting at Lucia & Gretel, Old Highway 22 on Monday, August 28, 2023. A Guatemalan restaurant, family owned and operated. We wish them all the best.
4. Senator Cory Booker came to Hunterdon to tour the Emergency Services Training center in Clinton township with County OEM and the Commissioners. The Senator secured funding to expand the facilities which all Hunterdon residents will benefit from.
5. The Red Mill Museum Village hosted their ribbon cutting at the Pavilion in the quarry. The staff and the Board should be proud of the beautiful facilities and the amazing events that they will continue to host. It was the hottest day of the year!
6. Participated in the ribbon cutting at the Chabad with Rabbi Kornfeld and Rabbi Avraham for the William Haskell C-Teen center. The program is for teens in Hunterdon and helps in many ways including "homework helpers".
7. Joined many others at the Hunterdon County 9/11 remembrance ceremony to hear Colonel Callahan, Superintendent of the State Police speak and share his story of 9/11. We remember the 16 Hunterdon County residents that lost their lives and the many first responders who fight the illnesses caused because they remained at ground zero to help.
8. Mayor Kovach guest lectured at a Kean University class on Monday giving an overview of New Jersey Government.
9. 78/22 Executive Committee met today to lay out a plan for future 78/22 meetings.

10. Congratulations to Secretary of State Tahesha Way, who was sworn in as New Jersey's 3<sup>rd</sup> Lt. Governor to replace Sheila Oliver who was passed away last month.

#### **PRESENTATION OF PROCLAMATION ---- GRACE ROGAN**

Mayor Kovach invited Grace Rogan to the front of the room and read the proclamation aloud! Grace decided to hold a tennis camp this past summer and had 12 kids, aged 4<sup>th</sup> to 8<sup>th</sup> graders. Grace also showed interest in joining the Town Green Team and was appointed in July. A round of applause for Grace!

Following the presentation to Grace, Mayor Kovach called up her dad, Sean Rogan! The entire family has always been very involved with the Clinton Community, Sean most recently organizing the annual Canoe Races which is a wonderful community event! Mayor Kovach totally caught Sean off guard by presenting him with a Key to the City! Such a wonderful evening! Applause, applause filled the room!

#### **GEORGE'S PLACE RESIDENT REQUEST**

A petition has been circulated by Georges Place, Georges Extension, Fairview and Center Street residents in an effort to have Georges Place blocked for entering on to the road off Route 31 in anticipation of the proposed Clinton Commons development. Georges Place is a common cut through for vehicular traffic seeking access to Clinton from Route 31 South. Many accidents have occurred involving drivers who have taken the turn too aggressively off Route 31 South onto Georges Place and crashed into the properties, including trees and fences, at 24 and 25 Georges Place. The residents wish to have the street made a one way and a dead end. The petition was submitted and signed by 81 residents. Mayor Kovach explained that before anything can be done, a review by the Fire Department and Rescue Squad will be done and their feedback is necessary. A review of weight limits and the egress and ingress from the State highway Route 31 will also be necessary.

Dave Wiant, Center Street, said he is not opposed to closing the end of the road but thought it may be sending signals to the developer. Mr. Wiant suggested waiting until after the developer gets the DOT approvals. Mayor Kovach said that will all be part of the study and will have the best interest of the residents in mind.

Angelo Yacone, Georges Place, supports this petition and he has witnessed three accidents in the past two years and has seen street signs replaced several times. Mr. Yacone thanked Council's consideration in accepting this petition. Mayor Kovach said we need to do our due diligence and plan for a six month study.

Tracy Ivie, George Place Extension, asked for the petition to be read aloud which Mayor Kovach obliged.

Lisa Intrabartola, Georges Place asked about the traffic study being done and a 3-6 month study which Town Engineer Robert Clerico of Van Cleef Engineering will be doing. Ms. Intrabartola said this issue was first brought up at a Land Use meeting in July. The engineer will be in attendance at the upcoming LUB meeting Tuesday, September 19, 2023 at the Clinton Fire Department. Attendance by residents is encouraged.

#### **SPECIAL EVENTS**

Three applications have been received:

Main Street Half Marathon of Hunterdon October 22, 2023 – 7am to 11am  
The Run Before Christmas – SantaCon 8K – December 16, 2023 – 8am – 10am  
Run O’the Mill – March 9, 2024 – 6am to 10am

Pending insurance requirements, a motion was made by Ms. Johnson, seconded by Mr. Perloff, to approve the upcoming events as requested.

Vote all ayes  
Motion carried

**RESOLUTION #136-23 – LEASE OF A POLICE CAR**

A motion was made by Ms. Johnson, seconded by Mr. Kashwick to adopt Resolution #136-23 as submitted:

**RESOLUTION #136-23**

WHEREAS, the Town of Clinton wishes to lease/purchase a Police Vehicle from an authorized vender under the Cranford Police Cooperative Pricing System;

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, Hertrich Fleet has been awarded the Cranford Police Cooperative Pricing System, Contract #47-CPCPS; 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 Police Vehicle is expected not to exceed \$48,923.95 inclusive of lighting equipment; and

WHEREAS, the Chief Financial Officer has certified the availability of \$18,695.28 under the 2023 Current Budget, Police Department, Other Expenses, and the balance pending funding in subsequent budgets.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Clinton, that Hertrich Fleet be awarded a contract for the lease/purchase of a Police Vehicle.

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

Vote all ayes  
Motion carried

**RESOLUTION #137-23 – RELEASE PERTAINING TO WWTP PROJECT**

A motion was made by MR. Traphagen, seconded by Ms. Johnson, to adopt Resolution #137-23 as submitted:

**RESOLUTION # 137-23**

WHEREAS, on or about November 13, 2019, the Town entered into an agreement (the “Contract”) with Van Cleef Engineering Associates, LLC (“VCEA”) to provide professional engineering planning and design services for a renovation project to be undertaken at the Filter and Residuals Building (the “Building”) located at the Town of Clinton Wastewater Treatment Plant (the “Project”); and

**WHEREAS**, in or about November 2019, VCEA entered into an agreement with DLB Associates (“DLB”) to provide certain electrical and HVAC design services for the Project, as detailed in a letter proposal dated June 12, 2019, from DLB to VCEA (the “Subcontract”);

**WHEREAS**, on or about January 13, 2022, the Town’s Construction Code Official issued a notice of failed electrical inspection due to electrical pull boxes (“Pull Boxes”) located in the Building not meeting applicable Code (“Code”) requirements; and

**WHEREAS**, on or about January 18, 2022, DLB issued a letter in which DLB stated that it found “no problem with the installation” of the Pull Boxes; and

**WHEREAS**, without any knowledge of the failed electrical inspection, on or about February 14, 2022, the Town entered into a Settlement Agreement and Release with Pact Two, LLC, its General Contractor for the Project, setting forth close-out items and releasing both parties from further liability concerning the Project (the “Pact Two Agreement”); and

**WHEREAS**, the Town entered into the Pact Two Agreement based, in part, on DLB’s representations contained in its January 18, 2022, letter; and

**WHEREAS**, on or about March 31, 2023, DLB issued a letter retracting its January 18, 2022, letter and stating that the Pull Boxes do not meet applicable Code requirements; and

**WHEREAS**, the General Contractor has declined to perform any corrective work or incur additional costs for the Project, citing the Pact Two Agreement and the Town is unwilling to incur additional expenses to make the Pull Boxes Code compliant; and

**WHEREAS**, the Parties have reached a resolution of all matters in dispute between them related to the Project and desire to memorialize the terms thereof in the Agreement in substantially the same form as attached hereto; and

**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 attached Settlement and Release Agreement in substantially the same form.
2. This Resolution shall take effect immediately.

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

Vote all ayes  
Motion carried

**RESOLUTION #138-23 – CHAPTER 159**

A motion was made by r. Traphagen, seconded by Mr. Kashwick, to adopt Resolution #138-23 as submitted:

**RESOLUTION – 138-23**

**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 \$5,000.00 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 \$5,000.00 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:  
Historic Grant for Gebhardt Field Grandstands, and

**BE IT FURTHER RESOLVED**, that a like sum of \$5,000.00 is hereby appropriated under the caption of:

General Appropriations  
(a) Operations Excluded from the .5% Cap  
Public and Private Programs Off-Set by Revenues:  
Historic Grant for Gebhardt Field Grandstands:  
Other Expenses

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

Vote all ayes  
Motion carried

**RESOLUTION #139-23 – ZONING MAP UPDATE**

Mayor Kovach announced that this Resolution will be tabled this evening.

**BANNER REQUESTS**

Two banner requests have been submitted:

Hunterdon Art Museum – Day of the Dead – November 3, 2023  
Banner dates – October 23 – October 30

Clinton Guild – Dicken’s Days, Christmas Parade, Candlelight Night, Tree Lighting, etc.  
November 6, 2023 through January 2, 2024

A motion was made by Ms. Johnson, seconded by Ms. Padmos, to approve the requests as submitted.

Vote all ayes

1 abstention (Perloff-HAM banner request  
Motion carried

**INTRODUCTION OF ORDINANCE #23-17 – WEIGHT LIMITS**

Ordinance will be tabled this evening.

**INTRODUCTION OF ORDINANCE #23-18 – AMENDING POWERS OF HISTORIC**

A motion was made by Mr. Traphagen, seconded by Ms. Johnson, to introduce Ordinance #23-18 as submitted:

**ORDINANCE # 23-18**

**ORDINANCE AMENDING SECTION 12-3 OF THE TOWN CODE REGARDING THE  
POWERS OF THE HISTORIC COMMISSION TO PERMIT THE SOLICITATION AND  
ACCEPTANCE OF GRANTS AND DONATIONS**

**WHEREAS**, the Mayor and Council of the Town of Clinton desire to expand the powers and responsibilities of the Town of Clinton Historic Commission to include the solicitation and acceptance of grant monies and donations.

**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.** Section 12-3 of the Code of the Town of Clinton (the “Code”), entitled “Responsibilities” (1) is hereby amended as follows (additions noted in bold italics *thus* and deletions noted in strikethrough ~~thus~~); and (2) portions of the Code not set forth below shall remain unchanged:

***Powers and*** Responsibilities.

The Historic Preservation Commission shall have the ***power and*** responsibility to:

- A. Prepare a survey of historic sites.
- B. Coordinate with the Land Use Board as appropriate on historic sites.
- C. Work with individuals, groups and other political entities to further historic interests.
- D. Study the advisability of historical districts within the town.
- E. Carry out such other advisory, educational and informational functions as will promote historic preservation in Clinton.
- F. Establish a home for historic artifacts and provide leadership in the community for the collection, display of and enjoyment of historic memorabilia and events.

G. Nonbinding review of applications for permits to demolish or partially demolish historic structures as set forth in Chapter 88, Article XV.

*H. Raise funds and solicit donations to offset the Commission's operational costs and fund the Commission's grant programs permitted by subsection J hereunder. All donations shall be accepted by resolution of the Town Council. All funds so raised shall be turned over to the Town Chief Financial Officer. All expenditures by the Commission shall be approved by Resolution of the Town Council, with the exception of grants provided to residents and property owners under the programs authorized by subsection J below.*

*I. Apply for and accept grant monies. Grant applications shall be authorized by resolution of the Commission. Receipt of grant monies must be approved by Resolution of the Town Council and all grant funds received must be turned over to the Town Chief Financial Officer.*

*J. Facilitate and administer grant programs for Town residents and property owners to encourage the rehabilitation and restoration of historic buildings.*

*K. Facilitate and administer a scholarship program for students interested in pursuing a career in history or historic preservation.*

**SECTION 2.** Section 12-6 of the Code of the Town of Clinton (the "Code"), entitled "Finances" (1) is hereby amended as follows (additions noted in bold italics *thus* and deletions noted in strikethrough ~~thus~~); and (2) portions of the Code not set forth below shall remain unchanged:

A. The Mayor and Council shall make provision in its budget and appropriate funds for the Historic Preservation Commission, which shall be raised by taxation in the same manner as other taxes.

B. The Chief Financial Officer shall oversee all expenditures and purchases of the Historic Preservation Commission. The Chief Financial Officer shall keep track of all expenditures and revenues for the Historic Preservation Commission during the course of the budget year so that its expenditures are consistent with budgeted amounts and all revenues are accounted for.

C. Expenditures of the Historic Preservation Commission are limited by its annual appropriation as approved by the Mayor and Council, and such funds ~~is~~ *the Commission has raised via grant or donations* ~~from fees collected.~~

D. All monies received by the Historic Preservation Commission shall be paid over to the Town Chief Financial Officer to be deposited and appropriated in accordance with all local government finance laws.

**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.** This Ordinance shall take effect upon final passage and publication according to law.

Vote all ayes  
Motion carried

A copy of this ordinance will be published in the September 17, 2023 edition of the Courier News. A public hearing will be held September 27, 2023.

**INTRODUCTION #23-19 – ESTABLISHING A SPONSORSHIP PROGRAM**

A motion was made by Mr. Traphagen, seconded by Ms. Johnson to introduce Ordinance #23-19 as submitted:

**ORDINANCE # 23-19**

**ORDINANCE ESTABLISHING A SPONSORSHIP PROGRAM FOR THE “WELCOME TO HISTORIC CLINTON” SIGNS**

**WHEREAS**, there four are wooden painted signs reading “Welcome to Historic Clinton” owned and maintained by the Town located on Center Street, Old Highway 22, Leigh Street, and off of Route 78, Exit 15; and

**WHEREAS**, in order to defray the costs of maintaining such signs, the Town of Clinton desires to establish a sign sponsorship program.

**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.** Chapter 113 of the Code of the Town of Clinton (the “Code”), entitled “Sign Sponsorship Program” (1) is hereby added as follows:

§ 113-1 Purpose. The purpose of the Welcome to Clinton Sign Sponsorship Program is to aesthetically maintain the Welcome to Clinton signs and reduce the related financial burden on taxpayers. Through the program, the Town will permit sponsors to advertise on those signs.

§ 113-2 Program rules.

A. General provisions.

(1) The Town shall be responsible for the ordering, installation and removal of any sponsorship sign, and as such, all signs shall be considered the property of the Town. No individual, including sponsors, shall have the authority to move or otherwise alter an installed sign in any manner unless that individual is acting under the direction of the Town.

(2) The signs created as a result of the Welcome to Clinton Sign Sponsorship Program shall be exempt from zoning regulations as municipal property.

(3) The size, shape, material, and colors of the sponsorship signs shall be determined by the Town Council.

(4) Quantity and Location. There are four “Welcome to Historic Clinton” signs owned and maintained by the Town located on Center Street, Old Highway 22, Leigh Street, and off of Route 78, Exit 15

(5) Design. Each sponsorship sign shall consist of text and logos only that includes the name of the entity sponsoring the sign. However, the printing of logos upon the sign will be dependent upon the size and intricacy of the logo. Up to two (2) sponsors per sign shall be permitted. Entity name and logo cannot include any derogatory, offensive, or profane words or images.

(6) Term. The term for each sign sponsorship shall be five (5) years.

(7) Applicants are limited to one sign sponsorship per term.

B. Applications.

(1) Each application for sign sponsorship must be on forms approved by the Town and be accompanied by a check made payable to the “Town of Clinton” for the requisite fee.

(2) Applications will be reviewed by the Historic Commission and successful applicants recommended to the Town Council for approval. Applicants shall be approved via resolution of the Town Council.

(3) Applications will be processed on a first come first served basis. Incomplete applications will be rejected.

C. Fees; Payment schedule. A fee and payment schedule for all sign sponsorships shall be established by duly adopted resolution of the Town Council, which may be amended from time to time.

D. Contracts. The Town shall enter into contracts with the sponsors in order to fulfill the requirements of the Welcome to Clinton Sign Sponsorship Program and this chapter. If a successful applicant fails to enter into such contract or fails to meet the contract requirements within 10 days after the notice of the application approval, the Town may approve the application of the next available applicant.

E. Revenue. All revenue generated as a result of the Welcome to Clinton Sign Sponsorship Program shall be deposited by the Town in the Historic Trust Fund and shall be spent by the Town (through the Historic Commission) to fund the maintenance and improvement of such signs.

**SECTION 2.** All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

**SECTION 3.** 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 4.** This Ordinance shall take effect upon final passage and publication according to law.

Vote all ayes  
Motion carried

A copy of this ordinance will be published in the September 17, 2023 edition of the Courier News. A public hearing will be held September 27, 2023.

### **CORRESPONDENCE**

1. Congratulatory letter received from Assemblyman Roy Freiman on being the recipient of the Safe Routes to School award at goHunterdon's 2023 Annual Meeting and Awards Breakfast.
2. Received a temporary food truck permit from the Endless Empanadas to set up on Main Street late evenings of Haunted. The owner is requesting to operate from 9:00 p.m. as to not interfere with restaurants and establishments on Main but to be available to people attending the Haunted Mill. Mayor and Council discussed the proposal and felt it was setting a bad precedent and would open up the idea to several food trucks. It was suggested that the vendor check with the Red Mill again to see if there is a possibility of being on their property but not on Main Street. A motion to deny the request was made by Mr. Perloff seconded Ms. Padmos.

Vote all ayes  
Motion carried

### **REPORTS OF COUNCIL**

#### **Councilman Bruno**

1. Clinton Fire Department has a new member, Nicholas Moorhead. Motion made by Ms. Johnson, seconded by Mr. Perloff to accept the new firefighter.
2. Buildings and Grounds – Route 173 sidewalk project – Engineer Clerico handling the design, ran into a few obstacles with the utility poles being relocated. Work should begin in the Fall for the sidewalks in front of the Fire House and the New Street project including ADA crosswalks. Leigh Street, possibly installing a new run off drain to help with flooding. Police have purchased new pedestrian signs. Many requests for the lighting at the tennis/pickleball court have been addressed. Ms. Padmos said B&G is getting quotes for LED lightening. Lights should be operational within the next month or two. Councilman Kashwick questioned the shielding and direction of the lights. Councilman Bruno said they will be shielded, on a timer and facing away from houses in that area.

Vote all ayes  
Motion carried

#### **Councilwoman Padmos**

1. Economic Development Committee – Paul Muir attended the meeting plans are to work more closely with the Guild and being supportive of each other's initiatives. Lady of Leitrim owner attended the meeting as well and said she would appreciate efforts of letting shoppers know Clinton is more than just Main Street. Her shop is located on Leigh Street which tends to get

overlooked by visitors. The Committee is working on a QR Code which shoppers can use with their phone which would show shops and maps to get around Clinton easier. Committee working on funding to do so. The Committee broke into subcommittees to work on grants and communications as well as a feasibility study. Working on the “Fall in Love with Clinton” Campaign and will have a blurb in the Carpool Cinema program. Committee continues to request stories from residents of how they fell in love with Clinton which can be viewed on the website along with pictures of families taken at the photo booth on the Art Museum terrace.

2. Platinum Club – residents 60 years of age and over or individuals with disabilities are invited to the Lebanon Fire Hall on Thursday, October 26, 2023 to have small appliances repaired by the Mr. Fix It program volunteers.  
The Club is also planning a trip to an Easton Museum on October 18 and lunch. A walk on the Landsdown Trail also being planned to identify different trees.
3. Playground Committee scheduling a New Swings & Tot area ribbon cutting for Saturday September 23, 2023 at noon at the Community Center playground. Sponsors and volunteers will be honored. Light refreshments will be available so if interested please respond to Councilwoman Padmos.

#### **Councilman Traphagen**

1. Rescue Squad reported 343 calls for the month of August, 31 were in the Town of Clinton. Two new EMT classes are being held, 16 in one group and 5 in the other.
2. Historic Commission – proud to present the new photo that has been designed by resident and fabulous artist, Karen Romangna. Rosemarie Platt, Commission member, in the audience this evening, presented the sample photo to Council! Beautiful beyond words, the new signs will be stunning. Prints can be made available. The photo is on a drive that will be kept in the Clerk’s office. Post cards may also become available.
3. Newsletter – the upcoming newsletter will be the last in this format and with this vendor. The committee is looking at alternatives.

#### **Councilwoman Johnson**

Councilwoman Johnson wished to echo Liz Hedden’s sentiments regarding the lock down at CPS. Getting that alert on your phone is the is a nightmare, but the response of the Police and Brian Testa, SRO and the staff was so swift and calm. Thank you again.

Next Board meeting September 19, 2023. Back to School night is September 21 for Pre-K through 4<sup>th</sup> and September 28 for grades 5-8.

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

Ms. St. Angelo updated Council on several on going matters:

The Settlement and Release Agreement with Pact Two was adopted earlier this evening. It was several months long project and is settled without additional spending.

The pending litigation with Summit Manor, exchanged written discovery.

PFAS seems to be moving along, “pots of money” to be divided up and should start seeing settlement offers over the next six months.

Temporary CO should be released tomorrow and start leasing on September 15. Lots of work in conjunction with Allison Witt, Zoning Officer, Robert Clerico, Town Engineer

### **Councilman Kashwick**

1. Shade Tree and Environmental Commission meeting next week.  
Bartlett Tree Service will begin cutting dead trees in the Knolls September 25 and 25 followed by Pond Ridge.  
Town should be hearing from Sustainable Jersey within the next week or so.

### **Councilman Perloff**

1. On behalf of everyone involved with the Hunterdon Games, Mr. Perloff wished to thank the Friendly Sons and all the volunteers for their participation.
2. Earlier this evening a banner request was approved for the Hunterdon Art Museum, however Mr. Perloff abstained and wished to explain why. Wife, Alison, is very involved with the Day of the Dead event. Alison is bringing experience of the Mexican culture with colors, sounds, tamales and Mariachi! Crafts will also be available on that day!
3. Following the 9/11 ceremony at the court house, which was so beautifully executed, Prevention resources and the Chamber of Commer started their drug free task force offering narcan and AED boxes. Mr. Perloff will forward information on to our Board of Health.
4. Water Committee – continuing with massive results, 14.9M gallons less than last August.
5. Insurance Committee, Messrs. Traphagen, Kashwick and Perloff, are working with Mr. Phelan on making changes to the current insurance requirements. Would like to make it easier for vendors and work with the frequently used vendors by tracking their insurance information.
6. Requesting a date for a Finance meeting to be held within the next few weeks, prior to November fund transfers.
7. Clinton Guild is sponsoring a summer vacation picture contest on September 17; Guild meeting September 20; Carpool Cinema event, Ghostbusters, posters in most shops, scan the QR Code, tickets are \$25 and the event is September 30.
8. Recreation Committee meeting tomorrow night to discuss alternate rain date for the Town Picnic.

### **STANDBY AND OVERTIME**

A motion was made by Mr. Kashwick seconded by Ms. Padmos to approve the standby and overtime attached to these minutes for the period of August 8 through August 31, 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. Traphagn 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

**RESOLUTION #139-23 – EXECUTIVE SESSION**

A motion was made by Ms. Johnson, seconded by Mr. Traphagen, to adopt Resolution #139-23 in order to enter into Executive Session to discuss a matter of potential land acquisition.

**RESOLUTION # 139-23**

**RESOLUTION AUTHORIZING EXECUTIVE SESSION**

**WHEREAS**, the Open Public Meetings Act; *N.J.S.A. 10:4-6 et seq.*, declares it to be the public policy of the State to ensure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which business affecting the public is discussed or acted upon; and

**WHEREAS**, the Open Public Meetings Act also recognizes exceptions to the right of the public to attend portions of such meetings; and

**WHEREAS**, the Mayor and Council find it necessary to conduct an executive session closed to the public as permitted by the *N.J.S.A. 40:4-12*; and

**WHEREAS**, the Mayor and Council will reconvene in public session at the conclusion of the executive session;

NOW, **THEREFORE**, BE IT **RESOLVED** by the Mayor and Council of the Town of Clinton, County of Hunterdon, State of New Jersey that they will conduct an executive session to discuss the following topic(s) as permitted by *N.J.S.A. 40:4-12*:

A matter which Federal Law, State Statute or Rule of Court requires be kept confidential or excluded from discussion in public (Provision relied upon:

\_\_\_\_\_);

\_\_\_\_\_A matter where the release of information would impair a right to receive funds from the federal government;

\_\_\_\_\_A matter whose disclosure would constitute an unwarranted invasion of individual privacy;

\_\_\_\_\_A collective bargaining agreement, or the terms and conditions thereof (Specify contract:

\_\_\_\_A matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed;

\_\_\_\_\_Tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;

\_\_\_\_\_Investigations of violations or possible violations of the law;

\_\_\_\_\_Pending or anticipated litigation or contract negotiation in which the public body is or may become a party; (the general nature of the litigation or contract negotiations \_\_\_\_\_OR \_\_\_\_\_the public disclosure of such information at this time would have a potentially negative impact on the municipality's position in the litigation or negotiation; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.)

X Matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his or her ethical duties as a lawyer; (The general nature of the matter is: Land Acquisition OR \_\_\_\_\_ the public disclosure of such information at this time would have a potentially negative impact on the municipality's position with respect to the matter being discussed; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists);

\_\_\_\_Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective or current public officer or employee of the public body, where all individual employees or appointees whose rights could be adversely affected have not requested in writing that the matter(s) be discussed at a public meeting; (The employee(s) and/or general nature of discussion is \_\_\_\_\_)

OR \_\_\_\_\_the public disclosure of such information at this time would violate the employee(s) privacy rights; therefore this information will be withheld until such time as the matter is concluded or the threat to privacy rights no longer exists.;

\_\_\_\_\_Deliberation occurring after a public hearing that may result in the imposition of a specific civil penalty or loss of a license or permit;

**BE IT FURTHER RESOLVED** that the Mayor and Council hereby declare that their discussion of the subject(s) identified above may be made public at a time when the Town Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Town or any other entity with respect to said discussion. That time is currently estimated to be: \_\_\_\_\_ (estimated length of time) OR upon the occurrence of \_\_\_\_\_

**BE IT FURTHER RESOLVED** that the Mayor and Council, for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place.

Vote all ayes  
Motion carried

**ADJOURNMENT**

Upon returning from Executive Session at 8:49 p.m. and there being no further business, a motion was made by Ms. Johnson seconded by Mr. Perloff to adjourn the meeting at 8:50 p.m.

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Cecilia Covino, RMC/CMC  
Municipal Clerk

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Janice Kovach, Mayor