

Flag Salute.

Roll Call: Bruno (via zoom), Kashwick, Padmos, Perloff, Traphagen, Mayor Kovach

Absent: Johnson

STATEMENT OF ADEQUATE NOTICE:

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

OPMA authorizes municipalities to conduct public meetings through use of streaming services and other online meeting platforms.

The Town of Clinton Council is meeting in person as well as providing an option for the public to participate via ZOOM video meetings. Please note that the option to attend is being provided as a courtesy, therefore, if Zoom becomes unavailable during the meeting and it cannot quickly be fixed, Council will continue with the remainder of the meeting.

For those joining us via Zoom, please raise your hand during designated times to be recognized for a comment. Whether you are appearing in person or via Zoom, you must provide your name to be recognized.

Please feel free going forward to email councilmeeting@clintonnj.gov with any questions or concerns between meetings. Please feel free to reach out with a note at jkovach@clintonnj.gov anytime!

APPROVAL OF MINUTES

A motion was made by Mr. Perloff seconded by Mr. Kashwick to approve the minutes of the Council Meeting and Executive Session minutes of September 13, 2023 as submitted.

Vote all ayes
1 Abstention for Executive (Bruno)
Motion carried

PUBLIC COMMENTS - NONE

PROCLAMATION

Mayor Kovach called Brielle Madriz to the forefront and read a proclamation congratulating Brielle on her amazing accomplishments that took place this summer in the pentathlon event developed to determine the most skilled athlete mastering various feats. Brielle won Gold in Pentathlon placing 1st in the 80M Hurdles, 1st in the Shot Put (6 lbs.), 2nd in the Long Jump, 1st in the High Jump and 2nd in the 800M for a total of 2,236 points! Congratulations, Brielle and best to you in all your future endeavors!

MAYOR’S COMMENTS

1. New Jersey League Liquor License Task Force meeting – Mayor Kovach met with fellow mayors and continued conversations as to the next steps to continue moving forward with the expansion of liquor licenses. The group discussed the brewery bill and the Governor’s CV and the goals of the Governor’s bill for November. Continue to advocate on behalf of our towns and work with the legislature to address their needs.
2. Land Use Board meeting was September 19 at the Clinton Fire House. The board

continued hearing testimony from the professionals for the Moebus property. Next meeting is October 17 at the firehouse at 7:30 p.m. The applicant's professionals will be back to answer questions and continue with the testimony.

3. Farleigh Dickinson University Gubernatorial conversation with Jack Ciattarelli was held on September 20, 2023.
4. Clinton Guild held one of their evening meetings on the patio to celebrate the musicians who performed during the summer for Music on Main. Paul Muir was also recognized with a Proclamation and a Key to the City from the town for his service to our community.
5. Ribbon cutting for Beyond Bijoux celebrating 10 years was held September 21st and the Celebration for the new Tots and Swings was held at the Community Center on September 23 at noon.
6. goHunterdon held their annual breakfast attended by Council and Chief Kubinak. Congratulations to all the awarded, including Clinton Public School and Chief Kubinak for receiving the 2023 Safety Champion Award.
7. Farm to Fork Prevention Resources – as always it is important to support our local nonprofits that serve our communities. Prevention resources held their Farm 2 Fork event last night. Great to see so many community leaders there, reported \$29,000 net profit.
8. Hunterdon Games debriefing took place and the group discussed what worked and what did not at this year's Hunterdon Games. As always it was a lively discussion and talk about ways to improve. Next year's date is August 19, 2024 so mark your calendars! Everyone will be updated as to the activities that will continue and those to be added. Once again thank you to everyone who joined us as a participant, volunteer or spectator.
9. Crime Stoppers will be holding their event November 1, 2023, honoring Christopher Phelan of the Chamber of Commerce.
10. 17 residents were without power this morning, repairs were more intensive than they thought. Two transformers were blown and one underground, power will hopefully be restored this evening.
11. A Citizen Involvement form received from Dylan Mahr, expressing interest in joining the Environmental Commission/Green Team. A motion was made by Mr. Kashwick, seconded by Ms. Padmos, to appoint Mr. Mahr to the Commission.

Vote all ayes
Motion carried
12. Halloween Trick or Treating hours will be 4:00 p.m. to 8:00 p.m. on Tuesday, October 31, 2023.

PUBLIC HEARING OF ORDINANCE #23-18 – AMENDING POWERS OF HISTORIC

A motion was made by Mr. Traphagen, seconded by Mr. Perloff to open the public hearing of 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**

Vote all ayes
Motion carried

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

Vote all ayes
Motion carried

A motion was made by Mr. Traphagen, seconded by Mr. Kashwick, to adopt Ordinance #23-18 on final reading.

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

Vote all ayes
Motion carried

PUBLIC HEARING #23-19 – ESTABLISHING A SPONSORSHIP PROGRAM

A motion was made by Ms. Padmos, seconded by Mr. Traphagen to open the public hearing of Ordinance #23-19 as submitted:

ORDINANCE # 23-19

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

Vote all ayes
Motion carried

Holly Lione, Co-Chair of the Historic Preservation Commission and husband, Steven, presented the beautiful print of the new “Welcome to Historic Clinton” signs that will replace the five faded ones in the wooden frames in Town. Many photos were taken and will be shared on social media. Painted by resident and talented artist, Karen Romagna, the signs will begin being replaced, hopefully as soon as next week. Chair, Rosemarie Platt, zoomed into the meeting this evening and suggested a formal dedication following the installation of the first, Mayor Kovach and everyone totally agreed. No further comment, a motion was made by Mr. Traphagen, seconded by Mr. Perloff, to close the public portion of the meeting.

Vote all ayes
Motion carried

A motion was made by Mr. Traphagen, seconded by Ms. Padmos, to adopt Ordinance #23-19 on final reading.

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

Vote all ayes
Motion carried

INTRODUCTION OF ORDINANCE #23-20 – SEWER UTILITY

A motion was made by Ms. Padmos, seconded b Mr. Perloff to introduce Ordinance #23-20 on first reading as submitted:

ORDINANCE #23-20

BOND ORDINANCE PROVIDING FOR THE REHABILITATION OF SECONDARY CLARIFIER NO. 2 FOR THE SEWER UTILITY IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$1,586,450 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,586,450 BONDS OR NOTES OF THE TOWN TO FINANCE THE COST THEREOF.

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

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Town of Clinton, in the County of Hunterdon, New Jersey (the "Town"). For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$1,586,450. Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the cost of the improvement or purpose since the improvement or purpose described in Section 3(a) hereof is being funded through the New Jersey Infrastructure Bank and because the improvement or purpose authorized herein is deemed self-liquidating and the bonds and bond anticipation notes authorized herein are deductible from the gross debt of the Township, as more fully described in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,586,450 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the rehabilitation of Secondary Clarifier No. 2 for the sewer utility, along with pumps and an asset management plan for geographic information system data collection at the plant, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures necessary therefor and incidental thereto.

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

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

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes

issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

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

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

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,586,450, but that the net debt of the Town determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$250,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) This bond ordinance authorizes obligations of the Town solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the Town pursuant to N.J.S.A. 40A:2-44(c).

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

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

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

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

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

Vote all ayes
Motion carried

A summary of this ordinance will be published in the October 4 and 25, 2023 edition of the Hunterdon Review. A public hearing will be heard at the November 8, 2023 Council Meeting.

INTRODUCTION OF ORDINANCE #23-21 – RTE 173 / EAST MAIN ST. IMPROVEMENTS

A motion was made by Mr. Perloff, seconded by Ms. Padmos, to introduce Ordinance #23-21 on first reading:

ORDINANCE #23-21

BOND ORDINANCE PROVIDING FOR ROUTE 173 AND EAST MAIN STREET SEWER MAIN IMPROVEMENTS FOR THE SEWER UTILITY IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$976,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$976,500 BONDS OR NOTES OF THE TOWN TO FINANCE THE COST THEREOF.

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

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Town of Clinton, in the County of Hunterdon, New Jersey (the "Town"). For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of

\$976,500. Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the cost of the improvement or purpose since the improvement or purpose described in Section 3(a) hereof is being funded through the New Jersey Infrastructure Bank and because the improvement or purpose authorized herein is deemed self-liquidating and the bonds and bond anticipation notes authorized herein are deductible from the gross debt of the Township, as more fully described in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$976,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the Route 173 and East Main Street sewer main improvements for the sewer utility, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures necessary therefor and incidental thereto.

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

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

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

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

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

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$976,500, but that the net debt of the Town determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$150,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) This bond ordinance authorizes obligations of the Town solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the Town pursuant to N.J.S.A. 40A:2-44(c).

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

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

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

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

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

Vote all ayes
Motion carried

A summary of this ordinance will be published in the October 4 and 25, 2023 edition of the Hunterdon Review. A public hearing will be heard at the November 8, 2023 Council Meeting.

RESOLUTION #140-23 – ZONING MAP UPDATES

A motion was made by Mr. Kashwick, seconded by Ms. Padmos, to adopt Resolution #140-23 as submitted:

RESOLUTION # 140-23

RESOLUTION AUTHORIZING TOWN PLANNER TO PREPARE ZONING MAP UPDATES

WHEREAS, there have been changes in the Town of Clinton’s land use ordinances over the last several years, including the adoption of redevelopment plans and ordinances to effectuate the purposes of the Town’s Housing Element and Fair Share Plan; and updates to the Town’s Master Plan, including the adoption of a Highlands Element; and

WHEREAS, the most recent update to the Town’s Zoning Map was adopted in July 2004 and does not reflect those changes; and

WHEREAS, the Town Land Use Board, and other Officials of the Town need and use the Zoning Map for reference and recommendations.

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

1. The Town Planner, James Kyle, P.P. is hereby authorized to update the zoning map of the Town of Clinton for a price not to exceed \$3,000.00.
2. The funding for this expenditure shall be reimbursed by the Highlands Implementation Plan Grant.
3. The Town’s Chief Financial Officer has certified that the necessary funds are available, with the expectation that the Town will be reimbursed through the above-referenced grant.
4. This Resolution shall take effect immediately.

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

Vote all ayes
Motion carried

RESOLUTION #141-23 – CO-OP

A motion was made by Mr. Perloff, seconded by Mr. Kashwick, to adopt Resolution #141-23 as submitted:

RESOLUTION #141-23

Membership in the North Jersey Wastewater Cooperative Pricing System (NJWCPS)

WHEREAS, the Town of Clinton desires to become a member of the North Jersey Wastewater Cooperative Pricing System (NJWCPS), effective September 27, 2023 and, that such membership shall be for the period ending November 24, 2024, and each renewal, thereafter of the system, unless the Town of Clinton elects to formally withdraw from the system;

NOW, THEREFORE, be it resolved, that the Mayor and Council are hereby authorized to execute the attached agreement for such membership.

Vote all ayes
Motion carried

RESOLUTION #142-23 – ANNUAL CURFEW

A motion was made by Ms. Padmos, seconded by Mr. Traphagen, to adopt Resolution #142-23 as submitted:

RESOLUTION # 142-23

WHEREAS, the period immediately prior and subsequent to Halloween, and the holiday time period commencing October 6, 2023 and continuing through November 6, 2023, a time when some persons under the age of eighteen and others may engage in mischief, acts of vandalism, and other petty disorderly offenses which are harmful to and interfere with the rights of citizens to use the streets and public areas of the Town of Clinton; and

WHEREAS, the Chief of Police of the Town of Clinton has determined, after due investigation and deliberation, that the incidence of juvenile delinquency within the Town will or may reach such a level of frequency or severity so as to present a clear and present danger to the public peace, safety, health, morals and welfare of the Town; and

WHEREAS, the Chief of Police has studied and evaluated the question of the public safety and health in the Town of Clinton and has determined that the safety of the public and the welfare of juveniles will be enhanced if a nocturnal curfew is imposed limiting the ability of persons under the age of eighteen to use the streets and public areas of the Town of Clinton.

WHEREAS, Chapter 60 of the Ordinance of the Town of Clinton authorizes the imposition of a curfew.

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

- (A) Based on an oral report submitted to the Mayor and Council by the Chief of Police, the Mayor and Council hereby declare that a temporary emergency exists in the Town of Clinton during the period from Friday, October 6, 2023, up to and including Monday, November 6, 2023; and
- (B) The Mayor and Council do hereby declare a temporary curfew commencing at 9:00 p.m. October 6, 2023, up to and including 6:00 a.m. November 6, 2023. The terms of the curfew shall be consistent with Chapter 60 of the Code of the Town of Clinton.
- (C) Notice of this curfew shall be posted in accordance with Section 60-8 of the Ordinance of the Town of Clinton in such places as may be designated by the Chief of Police so as to give all interested parties notice of the imposition of the curfew.

Vote all ayes
Motion carried

CORRESPONDENCE

1. Hunterdon County Board of Commissioners is seeking support in adopting a resolution in opposition to H.R. 3372, a bill in the House of Representatives that would establish a 10-year “pilot program” for states to test 91,000 pound trucks. A resolution will be prepared for the next meeting.
2. Open House and Ribbon Cutting Ceremony to be held Tuesday, October 17, 112 Broad Street, Flemington, the opening of the new Board of Elections Offices. Hours will be 4 – 9 pm with ribbon cutting at 4:30 p.m.

3. December 2, 2023, Pancakes with Maple the Snowman! Hosted by Hunterdon County Stigma Free Task Force, the event will be 10 a.m. to 2 p.m. at the Route 12 County Complex. All ages are welcome to attend!

REPORTS OF COUNCIL

Councilman Bruno

1. Clinton Fire Department will be hosting a Military Appreciation Grill Night.

Councilwoman Padmos

1. The playground ribbon cutting went very well! Proud to show how far we have come in one year of donations and fundraising. Thank you to every who volunteered and supported the efforts with monetary donations. The Sunrise Rotary is interested in getting involved! The T-Mobile grant has been submitted!
2. goHunterdon – congratulations to Chief Kubinak and Clinton Public School on their awards this year! A great presentation was made on zero deaths on roads for bike and pedestrians.
3. Economic Development Committee – has so many new people and great energy! Norma Kania attended the meeting on behalf of the Clinton Guild to promote the “Downtown Business District” which includes more than just Main Street. The sub-committees have been formed, business alignment which includes real estate, signage, branding, communications, grants and community outreach. Russ from Russ’s Wrench gave insight on small business how they can be very valuable.
4. Platinum Club is planning an outing October 18, 2023, meeting in Easton at 10:45 a.m. Ms. Padmos offered to drive seniors that do not drive. Tour of the Sigal Museum is planned.
5. Board of Health – Rabies Clinic will be held Saturday, November 11, 2023 from 8 a.m. to 11 a.m. Pre-registration is encouraged and can be found on the website.

Councilman Traphagen

1. Newsletter – is ready to go to print. Will report in the beginning of October of a new company.
2. Historic Commission is having the Graveyard Tours Saturday, October 7, 2 p.m. in the Union Cemetery on Alton Place and Leigh Street and Clinton Presbyterian on Center Street at 7:30 p.m. Everyone has now seen the new “Welcome to Clinton” sign! Look forward to seeing them go up!
3. Rescue Squad – held Friends and Family CPR class which 30 folks attended. Squad held a rope rescue drill over the Columbia Trail with a new piece of equipment purchased with grant money from Exxon Mobile that they received in the beginning of the year.

Councilman Kashwick

1. Councilman Kashwick was excited to announce that the Town of Clinton received the bronze-level certification from Sustainable. Thank you to everyone that helped out with getting the

points we needed. The Town will be recognized at a luncheon at the League of Municipalities November 14, 2023 at the Sheraton in Atlantic City. If anyone would like to attend the luncheon and the photo op, please let the clerk know in order to get tickets. The photo will be taken between 10-11:30 am during coffee and networking and the luncheon and awards will be 11:30 to 1:30 p.m. Out of 204 municipalities that are certified, only 134 have bronze and 70 silver. Team is looking to get silver certification next year, we will need to get another 155 points.

2. goHunterdon breakfast was nice and congratulations to Chief Kubinak and Clinton Public School for their Safe Routes to School project.
3. Shade Tree Commission – The tree removal in the Knolls and behind Pond Ridge were supposed to take place this week but due to equipment problems, Bartlett is now scheduled to do the work next week.
We received approval from the State for our tree planting and management plan for the grant we received. The plantings are scheduled to take place in Kings Crossing area end of next week. Continue working on a plan for memorial tree plantings.
4. Environmental Commission reviewed the information regarding noise and run-off issue off I-78 that was sent by Ken Fisher. The Commission is brainstorming on ways it can help.
5. MaryJo Kurtiak spoke with Raritan Headquarters about invasive species in and around the river. Photos are going to be forwarded to get advice as to what we can do.
Speaking of invasive plants, Eleanor Stentz is working on her high school capstone project removing invasive plants from the field in Hunts Mills Park removing multiflora rose, Russian olive, and other plants allowing native species to have a chance.
6. Clinton Conservancy Gardens – the Conservancy is planning a work day this Saturday, September 30 at 1:00 p.m. in Hunts Mills Park. They will be distributing mulch and plantings seeds and plants.
7. Platinum Club – Planning to join the Friends of the Red Mill for a tour of the Sigal Museum in Easton.

Councilman Perloff

1. Recreation - Carpool Cinema is Saturday, September 30. Due to the amount of rain this week, plans are to have cars park on gravel as the fields will be too wet for cars to drive on and families bring blankets and chairs.
Town picnic is rescheduled to October 7, 2023
2. Clinton Guild – Chameleon Blue ribbon cutting scheduled for November 12, 2023 at 11:00 a.m. for brunch.
Pumpkin Festival on Main Street October 20 starting at 4:30 p.m. for pumpkin drop off. Main Street will be closed starting at that time. It is also Grill Night at the firehouse! Mr. Bruno suggested patriotic pumpkins! Mr. Perloff will pass the suggestion along.
Dicken's Days are November 24, 25, 26, 2023.
3. Water Committee – ongoing projects continue to show improvements.
4. Insurance – no updates

Police Chief Kubinak

1. The annual curfew was adopted earlier this evening as in the past.
2. Coffee with a Cop will be held November 4, 2023 on the Art Center patio from 10:00 a.m. to 11:30 a.m. The County Prosecutor has been invited.

STANDBY AND OVERTIME

A motion was made by Mr. Perloff seconded by Mr. Traphagen to approve the standby and overtime attached to these minutes for the period of September 1 through September 14, 2023.

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

Vote all ayes
Motion carried

PAYMENT OF BILLS

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

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

Vote all ayes
Motion carried

RESOLUTION #143-23 – EXECUTIVE SESSION

A motion was made by Mr. Perloff, seconded by Mr. Kashwick to adopt Resolution #143-23 in order to enter into Executive Session to discuss a matter of litigation at 8:09 p.m. No action will be taken

RESOLUTION #143-23

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 purchase, 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.)

_____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 8:14 p.m. and there being no further business, a motion was made by Mr. Traphagen seconded by Mr. Perloff to adjourn the meeting at 8:15 p.m.

Cecilia Covino, RMC/CMC
Municipal Clerk

Janice Kovach, Mayor