

5930
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 meeting and explained how the meeting will be run by reading the following statement :

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

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

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

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

APPROVAL OF MINUTES - TABLED

PUBLIC COMMENTS

MAYOR’S COMMENTS

1. Mayor Kovach asked for a motion to authorize Kathy Olsen, CFO, to pay the bills for the first meeting in August. Motion made by Mr. Humphrey, seconded by Ms. Intrabartola.

Vote all ayes
Motion carried

RESOLUTION #116-21 – AWARD OF UNION ROAD IMPROVEMENTS

A motion was made by Ms. Dineen, seconded by Ms. Karsh, to adopt Resolution #116-21 as submitted:

**RESOLUTION #116-21 TO AWARD CONTRACT FOR UNION ROAD
IMPROVEMENTS PHASE II**

WHEREAS, the Town of Clinton (“Town”) received and opened bids for the Union Road Improvements Phase II project on June 17, 2021 pursuant to the authority of N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the following bids were received;

Union Road Improvements Phase II – Base Bid and Alternate

Reivax Contracting	\$119,039.00
Fischer Contracting	\$122,252.77
Top Line Construction	\$131,229.41
Black Rock Enterprises	\$137,777.77
Capital Paving	\$142,984.18
South State, Inc.	\$147,380.57

WHEREAS, after review by the Town Engineer, Purchasing Agent and the Town Attorney, Reivax Contracting has been determined to be the lowest responsible bidder; and

WHEREAS, a certificate of available funding has been presented;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Clinton, County of Hunterdon, State of New Jersey, that a contract is hereby awarded to Reivax Contracting in the amount of \$119,039.00 for the Union Road Improvements Phase II, and that the Mayor and Town Clerk of the Town of Clinton are hereby authorized, respectively, to execute and attest to an agreement with Reivax Contracting, pursuant to bid specifications and receipt of a Performance Bond and Certificate of Insurance.

Vote all ayes
Motion carried

RESOLUTION #118-21 – EXTENSION OF TAX DUE DATE

A motion was made by Mr. Humphrey, seconded by Ms. Dineen, to adopt Resolution #118-21 as submitted:

RESOLUTION # 118-21

WHEREAS, the 2021 tax rate for the Town of Clinton was certified by the Hunterdon County Tax Board on July 17, 2021 thereby creating a delay in the issuance of the Final 2021 Preliminary 2022 tax bills, and

WHEREAS, the third quarter tax amount is due on August 1, 2021, with a ten-day grace period,

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Clinton, County of Hunterdon, that the grace period for the payment of third quarter 2021 taxes be extended until August 27, 2021; and

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BE IT FURTHER RESOLVED that any third quarter 2021 tax payments received after August 27, 2021 shall be charged interest from the original due date of August 1, 2021.

Vote all ayes
Motion carried

RESOLUTION #119-21 – CLINTON LIHTC – (Marookin Tract)

A motion was made by Ms. Dineen, seconded by Ms. Karsh, to adopt Resolution #119-21 as submitted:

RESOLUTION # 119-21

RESOLUTION APPROVING WATER CAPACITY RESERVATION

APPLICATION # L21-05

WHEREAS, on March 24, 2015, the Mayor and Council of the Town of Clinton adopted Ordinance 15-1, which amended Chapter 142 of the General Ordinances of the Town of Clinton by creating procedures for applying for and receiving approval and extensions of water reservations; and

WHEREAS, the Town approved a water reservation pursuant to application #L18-02 in the name of Clinton LIHTC Urban Renewal, LLC (referred to as the “Marookian Tract”), which after receiving two extensions pursuant to Town Code Section 142-11(E)(1) expired on May 22, 2021; and

WHEREAS, the Town received an application to extend said water reservation dated July 20, 2021;

WHEREAS, because the water reservation was extended for the maximum time permitted by Town Code Section 142-11(E)(1), the Town is considering the extension request as a new water reservation application; and

WHEREAS, the Town has received Water Reservation Application # L21-05, dated July 20, 2021, submitted in the name of Clinton LIHTC Urban renewal, LLC (Township of Clinton, Block 82, Lot 4.03, Tax Map Page 14, located at 1355 Route 31 South); and

WHEREAS, on July 21, 2021, the Town’s Water Consulting Engineer, Suburban Consulting Engineers, informed the Town of Clinton Water Committee of their recommendation of approval of the aforementioned application which proposes development of eighty-four (84) 100% affordable housing residential units and community building; and

WHEREAS, on July 21, 2021, the Town’s Water Committee held their monthly meeting in which they have reviewed and approved said application and deemed it complete, to which they have granted final approval.

NOW, THEREFORE BE IT RESOLVED, that in accordance with Chapter 142, Section 1, Sub-section J(3) of the Town’s Ordinances, the Mayor and Council hereby approves Water Reservation Application # L21-05 in the amount of 16,073 GPD, to which this approval will expire on July 28, 2022.

BE IT FURTHER RESOLVED, in accordance with Chapter 142, Section E, the water reservation may be renewed for two one-year periods. (i.e. with extensions, a water reservation may be valid for up to three years).

BE IT FURTHER RESOLVED, that certified copies of this resolution be provided to the Applicant, Suburban Consulting Engineers, and the Town of Clinton Superintendent of Water.

Vote all ayes
Motion carried

RESOLUTION #120-21 – WATER RESERVATION – TOWNSHIP OF CLINTON (LeCompte)

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

RESOLUTION # 120-21

**RESOLUTION APPROVING WATER CAPACITY RESERVATION EXTENSION AND
TRANSFER - APPLICATION # L20-06**

WHEREAS, on March 24, 2015, the Mayor and Council of the Town of Clinton adopted Ordinance 15-1, which amended Chapter 142 of the General Ordinances of the Town of Clinton by creating procedures for applying for and receiving approval for water reservations; and

WHEREAS, the Town has received Water Reservation Application # L20-06, dated July 2, 2020, submitted in the name of the Township of Clinton/LeCompte Project (Township of Clinton, Block 29, Lot 4, Tax Map Page 7, located at 65 Valley Crest Road); and

WHEREAS, on July 21, 2020, the Town's Water Consulting Engineer, Suburban Consulting Engineers, informed the Town of Clinton Water Committee of their recommendation of approval of the aforementioned application which proposes development of ninety (90) 1/2/3 bedroom apartments and 2,500 SF office space and community room; and

WHEREAS, on July 22, 2020, the Town's Water Committee held their monthly meeting in which they have reviewed and approved said application and deemed it complete, to which they have granted final approval, and

WHEREAS, in accordance with Chapter 142, Section 1, Sub-section J(3) of the Town's Ordinances, on August 12, 2020 the Mayor and Council approved Water Reservation Application # L20-07 via Resolution 120-20 in the amount of 17,542 GPD, to which said approval was valid until July 22, 2021; and

WHEREAS, on July 20, 2021, the Town of Clinton received communication from the applicant requesting that (1) the extension of water reservation be approved, and (2) that the reservation of water rights be transferred to another affordable housing project within their municipal jurisdiction, referred to as the Willows at Spruce Run (Township of Clinton, Block 70, Lots 6 & 6.01, Tax Map Page 13, located at 1726 Route 31); and

WHEREAS, said extension and transfer is requested because the Township has amended its affordable housing plan to substitute to the Willows at Spruce Run development for the Le Compte development; and

WHEREAS, the Willows at Spruce Run development is proposed to contain 146 residential units with a fifty-five percent (55%) set aside for affordable housing, and therefore, requires approximately 8,000 more gpd than previously allocated to the LeCompte Project; and

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WHEREAS, the Town does not have sufficient water capacity available to serve the increased size of the proposed affordable housing development; and

NOW, THEREFORE, BE IT RESOLVED, recognizing that the previously allocated capacity is to be used to development affordable housing, the Town's Water Committee met on July 21, 2021 and have agree

BE IT FURTHER RESOLVED, in order to be entitled to an extension for a full year and a transfer of water rights, the applicant must supply the following information to the Water Committee within sixty (60) days:

- Information separating the development into phases, the first of which would only require the previously allocated 17,542 gpd; *or*
- Information regarding how the applicant shall obtain the additional approximately 8,000 gpd required to complete the project;

BE IT FURTHER RESOLVED, if the above-referenced information is not provided to the Water Committee, the subject water reservation shall be deemed to have expired and said water capacity shall become available to the Town's water system; and

BE IT FURTHER RESOLVED, that certified copies of this resolution be provided to the Applicant, Suburban Consulting Engineers, and the Town of Clinton Superintendent of Water.

Vote all ayes
Motion carried

RESOLUTION #121-21 – WATER RESERVATION – NJDOT (Beaver Avenue)

A motion was made by Mr. Traphagen, seconded by Ms. Dineen, to adopt Resolution #121-21 as submitted:

RESOLUTION # 121-21

RESOLUTION APPROVING WATER CAPACITY RESERVATION

APPLICATION # L21-03

WHEREAS, on March 24, 2015, the Mayor and Council of the Town of Clinton adopted Ordinance 15-1, which amended Chapter 142 of the General Ordinances of the Town of Clinton by creating procedures for applying for and receiving approval for water reservations; and

WHEREAS, the Town has received Water Reservation Application # L21-03, dated May 14, 2021, submitted in the name of New Jersey Department of Transportation (Township of Clinton Block 60, Lot 27, Tax Map Page 13, located at 84 Beaver Avenue); and

WHEREAS, on July 1, 2021, the Town's Water Consulting Engineer, Suburban Consulting Engineers, informed the Town of Clinton Water Committee of their recommendation of approval of the aforementioned application which proposes and Industrial Facility for twenty employees, vehicle wash, and fire suppression.

WHEREAS, on July 21, 2021, the Town's Water Committee held their monthly meeting in which they have reviewed and approved said application and deemed it complete, to which they have granted final approval.

NOW, THEREFORE BE IT RESOLVED, that in accordance with Chapter 142, Section 1, Sub-section J(3) of the Town's Ordinances, the Mayor and Council hereby approves Water Reservation Application # L21-03 in the amount of 600 GPD, to which said extension with a new expiration date of July 28, 2022.

BE IT FURTHER RESOLVED, in accordance with Chapter 142, Section E, the water reservation may be renewed for two one-year periods. (i.e. with extensions, a water reservation may be valid for up to three years).

BE IT FURTHER RESOLVED, that certified copies of this resolution be provided to the Applicant, Suburban Consulting Engineers, and the Town of Clinton Superintendent of Water.

Vote all ayes
Motion carried

RESOLUTION #122-21- WATER RESERVATION – KERWIN-SAVAGE PARTNERSHIP

A motion was made by Ms. Johnson, seconded by Mr. Humphrey, to adopt Resolution #122-21 as submitted:

RESOLUTION # 122-21

RESOLUTION APPROVING WATER CAPACITY RESERVATION EXTENSION

APPLICATION # L20-04

WHEREAS, on March 24, 2015, the Mayor and Council of the Town of Clinton adopted Ordinance 15-1, which amended Chapter 142 of the General Ordinances of the Town of Clinton by creating procedures for applying for and receiving approval for water reservations; and

WHEREAS, the Town has received Water Reservation Application # L20-04, dated May 18, 2020, submitted in the name of the Kerwin-Savage Partnership/108 Alton Place (Township of Clinton, Block 79.07, Lot 1, Tax Map Page 13, located at 108 Alton Place); and

WHEREAS, on July 21, 2020, the Town's Water Consulting Engineer, Suburban Consulting Engineers, informed the Town of Clinton Water Committee of their recommendation of approval of the aforementioned application which proposes residential development of one (1) single family, 4-bedroom home, ninety six (96) 3-bedroom townhomes, and forty three 1/2/3 bedroom apartments; and

WHEREAS, on August 12, 2020, the Mayor and Council approved said reservation via Resolution 119-20, to which the approval is scheduled to expire on August 12, 2021; and

WHEREAS, on July 12, 2021, the Town had received an initial request from the applicant, to extend the permit approval for an additional twelve (12) months from their previous approval; and

WHEREAS, on July 21, 2021, the Town's Water Committee held their monthly meeting in which they have reviewed the application extension request and deemed it complete.

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NOW, THEREFORE BE IT RESOLVED, that in accordance with Chapter 142, Section 1, Sub-section J(3) of the Town's Ordinances, the Mayor and Council hereby approves Water Reservation Application Extension # L20-04 in the amount of 29,745 GPD, to which said extension with a new expiration date of August 12, 2022.

BE IT FURTHER RESOLVED, in accordance with Chapter 142, Section E, the water reservation may be renewed for two one-year periods. (i.e. with extensions, a water reservation may be valid for up to three years).

BE IT FURTHER RESOLVED, that certified copies of this resolution be provided to the Applicant, Suburban Consulting Engineers, and the Town of Clinton Superintendent of Water.

Vote all ayes
Motion carried

RESOLUTION #123-21 – WATER RESERVATION – NJDOC

A motion was made by Ms. Karsh, seconded by Ms. Dineen, to adopt Resolution #123-21 as submitted:

RESOLUTION # 123-21

RESOLUTION APPROVING WATER CAPACITY RESERVATION

APPLICATION # L21-02

WHEREAS, on March 24, 2015, the Mayor and Council of the Town of Clinton adopted Ordinance 15-1, which amended Chapter 142 of the General Ordinances of the Town of Clinton by creating procedures for applying for and receiving approval for water reservations; and

WHEREAS, the Town has received Water Reservation Application # L21-02, dated April 12, 2021, submitted in the name of New Jersey Department of Corrections (Township of Union Block 22, Lot 18, Tax Map Page 9, located at 30 Route 513); and

WHEREAS, on June 30, 2021, the Town's Water Consulting Engineer, Suburban Consulting Engineers, informed the Town of Clinton Water Committee of their recommendation of approval of the aforementioned application which proposes an emergency interconnection to the Town's water system; and

WHEREAS, on July 21, 2021, the Town's Water Committee held their monthly meeting in which they have reviewed and approved said application and deemed it complete, to which they have granted final approval with the following conditions:

- Applicant must execute an Interconnection Agreement with the Town of Clinton for the provision of water during emergencies. Failure to execute an Agreement will result in this water reservation approval being rescinded.

NOW, THEREFORE BE IT RESOLVED, that in accordance with Chapter 142, Section 1, Sub-section J(3) of the Town's Ordinances, the Mayor and Council hereby approves Water Reservation Application #

L21-02 for use by the applicant for emergency uses only, to which said extension with a new expiration date of July 28, 2022.

BE IT FURTHER RESOLVED, in accordance with Chapter 142, Section E, the water reservation may be renewed for two one-year periods. (i.e. with extensions, a water reservation may be valid for up to three years).

BE IT FURTHER RESOLVED, that certified copies of this resolution be provided to the Applicant, Suburban Consulting Engineers, and the Town of Clinton Superintendent of Water.

Vote all ayes
Motion carried

REPORTS OF COUNCIL

Councilman Humphrey

Newsletter articles are due August 5, 2021. The 20 page edition of the newsletter will be coming out next month. Councilman Humphrey asked all committees and commissions to prepare to attend the Senior Fair at the luncheon on September 12, 2021. Councilman Humphrey connected with Paul Muir, Clinton Guild President and Executive Director of the Red Mill Museum Village regarding the event as well.

STANDBY AND OVERTIME

A motion was made by Ms. Intrabartola seconded by Ms. Johnson, to approve the standby and overtime attached to these minutes for the period of July 9 through July 22, 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 Ms. Dineen seconded by Mr. Humphrey 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. Dineen, seconded by Mr. Humphrey to adjourn the meeting at 9:24 a.m.

Cecilia Covino, RMC/CMC
Municipal Clerk

Janice Kovach, Mayor

Special Council Meeting
July 28, 2021
9:15 A.M.