

TOWNSHIP OF CLINTON
REGULAR COUNCIL MEETING
April 8, 2015

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CALL TO ORDER:

Mayor Higgins called the meeting to order at 7:32 PM.

OPEN PUBLIC MEETINGS ACT STATEMENT: Mayor Higgins gave the statement of adequate notice. The annual meeting notice is on file in the Office of the Municipal Clerk for public inspection.

ROLL CALL:

Councilwoman Switlyk	Absent
Councilman Imbriaco	Present
Councilman Marra	Present
Council President Mullay	Present
Mayor Higgins	Present
Kristina P. Hadinger, Esq.	Present
Marvin Joss, Administrator	Absent
Carla Conner, Acting Township Clerk	Present

APPROVAL OF MINUTES:

Regular Session	February 25, 2015
Joint Regular Session (Council & Planning Board)	March 2, 2015
Executive Session	February 25, 2015

Mayor Higgins introduced the matter.

MOTION was made by Councilman Imbriaco to approve the above-referenced minutes. Seconded by Council President Mullay. There being no further discussion the roll was called. Motion carried.

Roll Call:

Councilman Imbriaco	Yes
Councilman Marra	Yes
Councilman President Mullay	Yes
Mayor Higgins	Yes

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CONSENT:

Mayor Higgins introduced the matter and read the items on the consent agenda.

MOTION was offered by Council President Mullay to approve the consent agenda. Seconded by Councilman Imbriaco. There being no further discussion the roll was called. Motion carried.

Consent #1

Resolution #41-15 – Tax Premium Refund, Block 5 Lot 2

WHEREAS, liens on properties located in the Township of Clinton have been redeemed; and

WHEREAS, Tax Collector, Patricia Centofanti requests Mayor and Council approve the premium refunds required.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Clinton as follows:

1. Checks shall be issued for the properties listed below, such checks representing premium refunds on tax liens.

Block	Lot	Certificate	Vendor	Premium
5	2	2012-003	SBMUNI CUST % LBNJ	13,700.00
			PO BOX 37531	
			BALTIMORE, MD 21297-7531	
			TOTAL	13,700.00

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Consent #2

Resolution 42-15 – Overpayment of taxes, Block 4.01 Lot 11

WHEREAS, on properties located within the Township of Clinton, an overpayment of real estate taxes has been made; and

WHEREAS, applications have been made to the Tax Collector for refunds of said overpayments, totaling \$790.89; and

WHEREAS, the attached listing is a detail of the requested refunds.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Clinton that the Tax Collector is hereby authorized to refund such taxes to the parties in the amounts specified on the listing below.

VENDOR	BLOCK	LOT	LOCATION	Quarter	AMOUNT
Chwan, George Jr & Eileen	4.01	11	22 Concord Rd	2015/2	790.89
3750 Joseph Siewick Drive Apt 303					
Fairfax, VA 22033-1742					
TOTAL REFUND					\$790.89

PUBLIC COMMENT:

Steve Silberman from Annandale stated that 53 Herman Thau Road is an eyesore and wanted to know if the Township has an ordinance for upkeep on abandoned homes. Mayor Higgins stated the Township gets the County Board of Health involved only if it's a health or safety hazard.

Frank Snyder from Lebanon questioned what the Township's decision was regarding Apgar Lane. Attorney Hadinger stated the Township has not made a decision yet.

OLD BUSINESS:

COAH Update

Mayor Higgins stated the Planning Board met Monday April 6 to discuss the redevelopment of the old municipal building. The Planning Board passed a resolution approving the site as in need of rehabilitation. The next step is for the matter to come back to the Council for adoption of a resolution declaring the area in need of redevelopment. Thereafter, the Planning Board would begin to prepare an actual plan. Councilman Imbriaco and Councilman Marra stated they were not ready to vote on the resolution at this meeting.

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Authorizing the Old Municipal Building (Fox Seals site) be a Non-Condensation
Redevelopment Area

Tabled until the April 22 meeting

REPORTS:

Councilman Imbriaco

No report

Councilman Marra:

No report

Council President Mullay:

Council President Mullay stated the Planning Board had a hearing regarding T-mobile. The
Sewerage Authority is replacing some pumps in various locations.

ACTION:

ORDINANCE ADOPTIONS/PUBLIC HEARING:

Ordinance #1062-15- AN ORDINANCE AMENDING CHAPTER 4 "ADMINISTRATION OF
GOVERNMENT," ARTICLE 1 "TOWNSHIP COUNCIL," §4-1 "ORGANIZATION AND
DUTIES," OF THE CODE OF THE TOWNSHIP OF CLINTON, NEW JERSEY

Mayor Higgins introduced the matter.

MOTION was made by Councilman Imbriaco to introduce the ordinance on first reading and
schedule the public hearing for April 22, 2015. Seconded by Councilman Marra. There being no
further discussion the roll was called. Motion carried.

Roll Call:

Councilman Imbriaco	Yes
Councilman Marra	Yes

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Council President Mullay	Yes
Mayor Higgins	Yes

AN ORDINANCE AMENDING CHAPTER 4 “ADMINISTRATION OF GOVERNMENT,”
ARTICLE 1 “TOWNSHIP COUNCIL,” §4-1 “ORGANIZATION AND DUTIES,” OF THE CODE
OF THE TOWNSHIP OF CLINTON, NEW JERSEY

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

Section 1. §4-1 of Code Amended. § 4-1 “Organization and duties” of the Code of the
Township of Clinton is amended to read as follows (additions to text are indicated by underlining
and deletions from text by ~~strikethroughs~~:

4-1. Organization and Duties.

- A. **Legislative power.** All legislative power of the Township will be exercised by the Township Council pursuant to the Charter. The Township Council, in addition to such other powers and duties as may be conferred upon it by the Charter or otherwise by general law, may require any municipal officer to prepare and submit sworn statements regarding his/her official duties and the performance thereof, and may investigate the conduct of any department, office or agency of the municipal government.
- B. **Organization; President of Council.** The Council will organize annually ~~on the first business day following January 1,~~ on a date established by the Mayor on or after January 1 and no later than January 7, at which time it will select a President of the Council from among its members. The Mayor shall preside over all meetings of the Council. In the absence of the Mayor, the President shall preside. In the absence of the Mayor and the President, the Council shall select a temporary presiding officer from among its members.
- C. **Clerk of Council.** The Municipal Clerk, appointed by the Mayor with the advice and consent of the Council, shall maintain, prepare and sign the minutes of the Council, maintain the records of the Council and perform such other duties as shall be assigned.
- D. **Agenda.** ~~Policies regarding the composition and preparation of agenda shall be established by the Council at its reorganization meeting.~~ The agenda for Council meetings shall be set by the Mayor, in consultation with the Council President, Township Administrator, Township Attorney and Township Clerk.

Section 2. Repealer. All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

Section 3. Severability. If any section, paragraph, subsection, clause or provision of this ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the

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section, paragraph, subsection, clause or provision so adjudged and the remainder of this ordinance shall be valid and enforceable.

Section 4. Effective Date. This ordinance shall take effect upon passage, publication and in accordance N.J.S.A. 40:69A-181.

RESOLUTIONS:

Action Item #1

Resolution #43-15 – Approving Animal Control Contract with Hunterdon County
Department of Public Safety

Mayor Higgins introduced the matter.

MOTION was offered by Councilman Marra to approve the resolution. Seconded by Councilman Imbriaco. There being no further discussion the roll was called. Motion carried.

Roll Call:

Councilman Imbriaco	Yes
Councilman Marra	Yes
Councilman President Mullay	Yes
Mayor Higgins	Yes

WHEREAS, the Township of Clinton and the County of Hunterdon entered into an Interlocal Public Health Services Agreement dated June 1, 2010, and

WHEREAS, effective January 1, 2015 the County entered into a contract with a private Animal Control company to provide Animal Control Services to those municipalities that wished to take advantage of this new service, and

WHEREAS, the County has offered this service to Clinton Township at an annual cost in 2015 of \$16,800, and has provided a contract amendment for Public Health Services that will now include Animal Control Services.

NEW THEREFORE, BE IT RESOLVED, by the Township of Clinton, in the County of Hunterdon, State of New Jersey, that the Mayor is hereby authorized to sign the amended contract with the County, to include animal control services for the year of 2015 at a cost of \$16,800

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Action Item #2

Resolution #44-15 – Amending the Custodian of the Change Fund

Mayor Higgins introduced the matter.

MOTION was offered by Councilman Marra to approve the resolution. Seconded by Councilman Imbriaco. There being no further discussion the roll was called. Motion carried.

Roll Call:

Councilman Imbriaco	Yes
Councilman Marra	Yes
Councilman President Mullay	Yes
Mayor Higgins	Yes

WHEREAS, the Township of Clinton has hereby established a change fund in the amount of \$350.00, and,

WHEREAS, it is the desire of the Governing Body of the Township of Clinton that the change cash fund for the following officers be increased from \$350.00 to \$380.00.

BE IT RESOLVED, that the custodians of said change fund be as follow:

Township Clerk	Carla Conner, Acting Twp. Clerk	\$ 50.00
Tax Department	Patricia Centofanti, Tax Collector	\$100.00
Construction Department	Michael Wright, Construction Code Official	\$100.00
Municipal Court	Lynn Lorenz, Court Administrator	\$100.00
Recreation Department	Thomas Silvia, Recreation Director	\$ 30.00

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Township of Clinton, in the County of Hunterdon, State of New Jersey, that such action is hereby authorized.

Action Item #3

Resolution #45-15 – Amending the Custodian of the Petty Cash Fund

Mayor Higgins introduced the matter.

MOTION was offered by Councilman Marra to approve the resolution. Seconded by Councilman Imbriaco. There being no further discussion the roll was called. Motion carried.

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Roll Call:

Councilman Imbriaco	Yes
Councilman Marra	Yes
Councilman President Mullay	Yes
Mayor Higgins	Yes

WHEREAS; The Township of Clinton has hereby established a Petty Cash Fund in the amount of \$350.00, and,

WHEREAS, Eleanore Pene was custodian of the Township of Clinton's Petty Cash Fund, and

WHEREAS, in accordance with N.J.S.A.40:5-21, the Township of Clinton is hereby changing Petty Cash custodians to be as follow:

Finance Department	Marie Pardo, CFO	\$250.00
Police Department	Douglas Higgins, Officer in Charge	\$100.00

AND WHEREAS, Marie Pardo, CFO is bonded in the amount of \$1,000,000.00 by virtue of a surety bond.

NOW, THEREFORE BE IT RESOLVED by the Township of Clinton, County of Hunterdon, Sate of New Jersey that the Custodians of the Petty Cash Fund are hereby changed to Marie Pardo and Douglas Higgins.

Action Item #4

Resolution #46-15 – Amending Temporary Budget

Mayor Higgins introduced the matter.

MOTION was offered by Councilman Marra to approve the resolution. Seconded by Council President Mullay. There being no further discussion the roll was called. Motion carried.

Roll Call:

Councilman Imbriaco	Yes
Councilman Marra	Yes
Councilman President Mullay	Yes
Mayor Higgins	Yes

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WHEREAS; N.J.S.A. 40A:4-20 permits the governing bodies of New Jersey municipalities to approve and authorize temporary emergency appropriations prior to the adoption of the municipal budget by a confirming vote of two-thirds of the full governing body; and:

WHEREAS; The Township of Clinton requires additional appropriations to maintain operations until such time the township budget is put in place; and:

NOW THEREFORE BE IT RESOLVED; confirmation of 2/3 of the full Governing Body; that the following emergency appropriations are authorized:

<u>Department</u>	<u>Salary & Wages</u>	<u>Operating Expenses</u>
Mayor & Council	\$ 2,000.00	
Municipal Clerk	\$ 43,000.00	
Financial Administration	\$ 33,000.00	\$ 1,000.00
Audit Services		\$ 21,105.00
Collection of Taxes	\$ 27,000.00	\$ 3,500.00
Environmental Committee		\$ 237.50
Planning Board	\$ 15,000.00	\$ 2,000.00
Board of Adjustments		\$ 1,575.00
Uniform Construction Code	\$ 30,000.00	
Other Insurance		\$ 73,000.00
Group Insurance		\$ 300,000.00
Police Department	\$500,000.00	\$ 20,000.00
Road Repair & Maintenance	\$170,000.00	
Fleet Maintenance		\$ 24,000.00
Health Department	\$ 3,000.00	
Recreation Department	\$ 33,000.00	\$ 1,000.00
Utilities- Natural Gas		\$ 8,000.00
Utilities- Gasoline		\$ 48,000.00
PERS		\$ 234,031.00
Social Security		\$ 75,600.00
PFRS		\$ 500,377.00
Municipal Court	<u>\$ 56,680.00</u>	<u>\$ 5,250.00</u>
TOTALS	\$ 912,680.00	\$1,318,675.50

VOUCHERS:

Mayor Higgins introduced the matter.

MOTION was offered by Councilman Marra to approve the check control registers dated April 8, 2015 totaling \$330,535.04. Seconded by Council President Mulla. There being no further discussion the roll was called. Motion carried.

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Roll Call:

Councilman Imbriaco	Yes
Councilman Marra	Yes
Councilman President Mullay	Yes
Mayor Higgins	Yes

PUBLIC COMMENT:

No public comment.

EXECUTIVE SESSION:

Resolution #47-15

MOTION was made by Council President Mullay to go into executive session. Seconded by Councilman Marra. There being no further discussion the roll was called. Motion carried.

Roll Call:

Councilman Imbriaco	Yes
Councilman Marra	Yes
Council President Mullay	Yes
Mayor Higgins	Yes

WHEREAS, Section 8 of the Open Public Meetings Act (NJSA 10:4-12 (b) (1-9) permits the exclusion of the public from a meeting in certain circumstances; and,

WHEREAS, the Township Council is of the opinion that circumstances exist, and

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

1. The Township Council will now convene in closed session which will be limited to items from which the public may be excluded pursuant to Section 7B of the Open Public Meetings Act.
2. The general nature of the subject matter to be discussed is as follows:
 - Negotiation of terms & conditions for acquisition interests in land (amended easement) with regard to the Herr property.

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3. It is unknown precisely when, if ever, the matters discussed in this closed session may be disclosed to the public.
4. No action shall be taken in closed session.
5. It is not anticipated that any action will be taken when the Mayor and Council return to open session.

RETURN FROM EXECUTIVE SESSION:

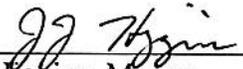
MOTION was made by Councilman Marra to return from executive session. Seconded by Council President Mullay. There being no further discussion a voice vote was called. All ayes. Motion carried.

MOTION TO ADJOURN:

MOTION was offered by Councilman Marra to adjourn at 8:06p.m. Seconded by Mayor Higgins. There being no further discussion a voice vote was called. All ayes. Motion carried.

ATTEST:


Carla Conner, Acting Township Clerk


John Higgins, Mayor

Adopted: May 13, 2015