

TOWNSHIP OF CLINTON
REGULAR COUNCIL MEETING
May 27, 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	Present
Councilman Imbriaco	Present
Councilman Marra	Present
Council President Mullay	Present
Mayor Higgins	Present
Kristina P. Hadinger, Esq.	Present
Marvin Joss, Administrator	Present
Carla Conner, Acting Township Clerk	Present

APPROVAL OF MINUTES:

Regular Session

April 22, 2015

Mayor Higgins introduced the matter.

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

Roll Call:

Councilwoman Switlyk	Yes
Councilman Imbriaco	Yes
Councilman Marra	Abstain
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 Councilman Imbriaco to approve the consent agenda. Seconded by Council President Mully. There being no further discussion the roll was called. Motion carried.

Roll Call:

Councilwoman Switlyk	Yes
Councilman Imbriaco	Yes
Councilman Marra	Yes
Councilman President Mully	Yes
Mayor Higgins	Yes

Consent #1

Resolution #59-15 – Tax Premium Refund Block 79.01 Lot 3.0809

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.

<u>Block</u>	<u>Lot</u>	<u>Certificat e</u>	<u>Vendor</u>	<u>Premium</u>
79.01	3.0809	2014-014	US BANK CUST FOR BLUE VIRGO CAPITAL MANAGEMENT	200.00
			ATTN TAX LIEN SERVICES GROUP	
			2 LIBERTY PLACE	
			50 SOUTH 16 TH STREET SUITE 1950	
			PHILADELPHIA, PA 19102	
			TOTAL	200.00

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Consent #2

Resolution 60-15 – Approving the grant application and accepting funds for Potterstown Road

NOW, THEREFORE, BE IT RESOLVED, that Mayor and Council of the Township of Clinton formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED, that the Mayor and Acting Clerk are hereby authorized to submit an electronic grant application identified as Clinton Township MA 2015 Potterstown Road - 00664 to the New Jersey Department of Transportation on behalf of the Township of Clinton; and

BE IT FURTHER RESOLVED, that the Mayor and Acting Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Clinton and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by Mayor and Council on this 27th day of May 2015.

Consent #3

Resolution 61-15 – Approving a Developer’s Agreement for Clinton Agricultural Associates, LLC, Site Plan, Block 7 Lot 3

BE IT RESOLVED, by the Mayor and Council of the Township of Clinton, County of Hunterdon, State of New Jersey, that the Township is authorized to enter into a developer's agreement with Clinton Agricultural Associates, LLC, regarding the proposed development on property located at 1011 Rt. 22 East, and designated as Block 7, Lot 3 (Clinton Township Tax Map 2003) in the Township of Clinton, County of Hunterdon, State of New Jersey; and

FURTHER, BE IT RESOLVED, that the Mayor and Clerk are authorized and directed to execute the same once all conditions precedent to execution are satisfied.

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PUBLIC COMMENT:

John Anderson from JCP&L stated the updates at the Lebanon substation have been completed. Mr. Anderson also stated JCP&L will be going around conducting vegetation management tree pruning on some of the 34 substations, most noticeably on Route 22.

NEW BUSINESS:

Code Updates – Meeting Protocol

Administrator Joss stated he wanted to get the Council's feedback on how many public comment sessions should be on the agenda. Administrator Joss explained he and Attorney Hadinger were looking to have some minor changes on 4-3 and that was one item that they questioned changing. Council President Mullay and Councilwoman Switlyk both suggested leaving two public comments on the agenda.

OLD BUSINESS:

REPORTS:

Councilwoman Switlyk:

No report

Councilman Imbriaco:

No report

Councilman Marra:

Councilman Marra reported that the Recreation Committee met and discussed Community Day. The net cost was \$7692 as compared to last year's net cost of \$10,700.

Mayor Higgins:

Mayor Higgins reported that the Planning Board will have the redevelopment plan on their agenda on June 1. The plan is posted on the township website. The Mayor stated he is working on the parking situation at the Park and Ride.

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Marvin Joss:

Administrator Joss reported Tom Silvia the new Zoning officer is off to a good start. Administrator Joss reported that the Council had inquired about the road condition of Main Street, Lebanon, just east of Blossom Hill Rd before it hits Route 22. The DPW Supervisor, Jay Meixsell advised Administrator Joss that about the first two hundred feet off of Route 22 is owned by the State. Administrator Joss also stated that the road that Clinton Township is responsible for was old Route 22 and therefore has thick concrete underneath the paving. That makes it very hard to just patch it. It really needs to be reconstructed and not just patching.

ACTION:

ORDINANCE ADOPTION/PUBLIC HEARINGS:

2015 Budget Adoption

Mayor Higgins introduced the matter and opened the public hearing.

There being no public comments, Council President Mullay closed the public hearing. Seconded by Councilwoman Switlyk.

MOTION was made by Councilman Imbriaco to adopt the budget. Seconded by Councilwoman Switlyk. There being no further discussion the roll was called. Motion carried.

Roll Call:

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

Ordinance 1066-15 - CALENDAR YEAR 2015 ORDINANCE TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)

Mayor Higgins introduced the matter and opened the public hearing.

There being no public comments, Council President Mullay closed the public hearing. Seconded by Councilwoman Switlyk.

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MOTION was made by Council President Mullay to adopt the ordinance. Seconded by Councilwoman Switlyk. There being no further discussion the roll was called. Motion carried.

Roll Call:

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

INTRODUCTION OF ORDINANCE:

Ordinance 1067-15 - AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO ESTABLISH SALARIES, WAGES AND COMPENSATION RANGES FOR NON-CONTRACTUAL OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF CLINTON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY"

Mayor Higgins introduced the matter. Administrator Joss explained the Ordinance.

MOTION was made by Council President Mullay to introduce the ordinance on first reading and schedule the public hearing for June 24, 2015. Seconded by Councilwoman Switlyk. There being no further discussion the roll was called. Motion carried.

Roll Call:

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

BE IT ORDAINED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF CLINTON IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY AS FOLLOWS:

- 1) THAT SECTIONS 4 AND 5 OF THE ORDINANCE, THE TITLE OF WHICH IS RECITED IN THE TITLE OF THIS ORDINANCE, BE AND THE SAME IS HEREBY AMENDED TO READ AS FOLLOWS:

	POSITION	MINIMUM	MAXIMUM
Mayor		\$ 3,200	\$ 6,700
Council Members		\$ 2,700	\$ 6,000

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* except that any member of Council may waive in writing, in whole or in part, any compensation not yet processed for payment.

Grade 17: \$ 86,200 \$ 130,000
Administrator
Administrator / Clerk

Grade 16: \$ 97,700 \$ 119,700
Police Chief

Grade 15: Police Lieutenant \$ 90,000 \$ 120,426
Officer in Charge stipend \$ 500 \$ 3,000
Police Director

Grade 14: \$ 60,000 \$ 97,500
Construction Code / Subcode Official
Public Works Manager
Director of Finance (CFO)

Grade 12: \$ 50,000 \$ 78,000
Court Administrator
Tax Assessor
Recreation Director
Municipal Clerk

Grade 11: \$ 45,000 \$ 66,900
Acting Municipal Clerk
Tax Collector
Building Subcode Official

	POSITION	MINIMUM	MAXIMUM
Grade 10:		\$ 12,500	\$ 61,800
	Planning Board / BOA Administrator UCC Code Inspector		

Grade 9: \$ 8,000 \$ 17,000

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Zoning Officer

Grade 8:	Deputy Municipal Clerk Deputy Court Administrator Senior Finance Clerk	\$ 35,800	\$ 55,000
Grade 7:	Administrative Assistant / Secretary Field Inspector/Technical Support Technical Assistant Construction Office	\$ 30,000	\$ 45,300
Grade 6:	Tax Assistant Finance Clerk Violations Clerk-Court Recreation Coordinator Board of Health Secretary/Admin. Asst.	\$ 30,000	\$ 50,000
Grade 5:	Administrative Receptionist / Secretary	\$ 26,800	\$ 34,100
Hourly:		\$ 7.25	\$ 50.00
Part Time:	Clerical, Secretarial, Sub Code Officials, Fire Safety Inspectors, UCC Code Inspector, Special Police Officers, Building Maintenance, Janitorial, Grounds Maintenance, Truck Drivers, General Laborer, Dog Canvasser, Recreation Department staff, Tax Assessment Field Inspector, Recording Secretary/ Stenographer	\$ 15,000	\$ 40,000
Salaried:			
Part Time:	Municipal Court Judge	\$ 15,000	\$ 40,000
	Prosecutor	15,000	42,840
	Public Defender	2,000	15,000

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Seasonal:

Summer Recreation Director	\$ 5,000	\$ 7,000
Teachers/Coordinators	\$ 1,000	\$ 2,000
Nurse	\$ 1,500	\$ 2,000
Senior Counselors	\$ 500	\$ 1,500
Counselors	\$ 500	\$ 1,000
Substitute Counselors	\$ 500	\$ 1,000

2) THE WITHIN ORDINANCE SHALL TAKE EFFECT UPON ADOPTION AND PUBLICATION IN ACCORDANCE WITH NEW JERSEY LAW.

RESOLUTIONS:

Action Item #1

Resolution #62-15 – Appointing Carla Conner as Acting Clerk for a one year appointment

Mayor Higgins introduced the matter.

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

Roll Call:

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

WHEREAS, On June 1, 2014, Carla Conner was appointed Acting Clerk pursuant to N.J.S.A. 40A:9-133, and;

WHEREAS, said Statute 40A:9-133 allows for a municipality to appoint an Acting Clerk who does not hold a Clerk’s license for a period of one year, with the opportunity for two additional years if approval of the Director of Local Government Services is obtained, and;

WHEREAS, over the past year, Carla Conner has satisfactorily performed the duties of the office and will sit for the State Clerk exam in 2015;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Clinton, County of Hunterdon, State of New Jersey, that effective June 1, 2015, Carla Conner is hereby appointed to a second one year term as Acting Clerk;

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BE IT ALSO RESOLVED, that Ms. Conner will continue as a full time employee during her term as Acting Clerk, and will be paid pursuant to the Township's current salary ordinance and resolution. It is also understood, that this position is considered a management position, and as such no overtime pay can be earned.

Action Item #2

Resolution #63-15 – Authorizing funds from OEM Subgrant Award – OEM Assistance Program Funding

Mayor Higgins introduced the matter. Administrator Joss explained the resolution.

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

Roll Call:

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

Resolution authorizing the Township of Clinton Office of Emergency Management to accept funds from a Subgrant Award of the Federal Fiscal Year 2014 of Emergency Management Agency Assistance Program Funding for the Chief Financial Officer of the Township of Clinton to amend the budget and certify the availability of funds.

WHEREAS, the Township of Clinton, Office of Emergency Management has been awarded Emergency Management Agency Assistance Subgrant Program ("EMAA") from the New Jersey State Police Office of Emergency Management Agency available for successful applicants funded through the FY2014 Emergency Management Performance Grant for the dates of July 1, 2014 through June 30, 2015; and

WHEREAS, the Subgrant, consisting of a total amount of \$10,000.00 (including \$5,000.00 Federal Award and \$5,000.00 Local Matching Funds) which the Township of Clinton Office of Emergency Management will satisfy with the Office of Emergency Management's existing salaries and wages.

BE IT RESOLVED, by the Township Council, Township of Clinton, County of Hunterdon in the State of New Jersey that the Township of Clinton Administrator, the Township of Clinton Chief Financial Officer and the Township of Clinton Emergency Management Coordinator are

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hereby authorized to sign the required Grant Applications/Subgrant Award Documents with the New Jersey State Police, Office of Emergency Management.

BE IT FURTHER RESOLVED, that copies of this Resolution shall be forward to the New Jersey State Police Office of Emergency Management, the Hunterdon County Office of Emergency Management, the Director of the Division of Local Government Services, the Township of Clinton Office of Emergency Management, the Township of Clinton Administrator, and the Township of Clinton Chief Financial Officer.

Action Item #3

Resolution #64-15 – Approving the hire of personnel for Summer Recreation, 2015

Mayor Higgins introduced the matter.

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

Roll Call:

Councilwoman Switlyk	Yes
Councilman Imbriaco	Yes
Councilman Marra	Yes
Councilman President Mulla	Yes
Mayor Higgins	Yes

WHEREAS, there is a need for the Clinton Township Parks and Recreation Department to fill the positions of Adult Coordinators, Counselors, Sr. Counselors, Substitute Counselors, Nurses etc.; and

WHEREAS, Recreation Supervisor Tom Silvia has recommended the hiring of the following individuals for these positions, effective on or about June 26, 2015, until July 31, 2015, in accordance with the attached salary schedule.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Clinton, County of Hunterdon, State of New Jersey that the recommendation of the Recreation Supervisor, Tom Silvia be and hereby is accepted and approved that the below individuals be hired as Summer Parks and Recreation summer employees effective on or about June 26, 2015.

	Last Name	First Name	2015 Position	2015 Hourly Pay	2015 Salary
1	Acocella	Evan	Counselor	\$ 6.25	
2	Alpaugh	Dan	Counselor	\$ 6.25	
3	Andreas	David	Counselor	\$ 6.25	
4	Andreas	Madeleine	Counselor	\$ 6.25	
5	Baker	Hannah	Counselor	\$ 6.25	

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6	Bredael	Samantha	Trip Counselor	\$ 8.00	
7	Brett	Andrew	CIT	\$ -	
8	Burnejko	Dana	Counselor	\$ 6.25	
9	Campbell	Lauren	Counselor	\$ 6.25	
10	Carbine	Dienes	Counselor	\$ 6.25	
11	Castrogiovanni	Alycia	Trip & Morning Care Coordinator	\$ 13.00	
12	Chauvette	Alina	Coordinator	\$ 13.00	
13	Cimei	Katherine	Assistant Coordinator Gr 2-8	\$ 10.00	
14	Ciszewski	Grace	Counselor	\$ 6.25	
15	Conner	Matthew	Counselor	\$ 6.25	
16	Coyne	Garrett	CIT	\$ -	
17	Danson	Haley	Counselor	\$ 6.25	
18	Decowski	Noelle	Counselor	\$ 6.25	
19	Deeming	Olivia	Counselor (H4 Visa)	\$ -	
20	Dehkes	Erik	Counselor	\$ 6.25	
21	DiVito	Samantha	Senior Counselor	\$ 8.00	
22	Faust	Stephanie	Trip Counselor	\$ 8.00	
23	Ferenci	Hannah	Counselor	\$ 6.25	
24	Filus	Emily	Senior Counselor	\$ 8.00	
25	Finer	Michael	Senior Counselor	\$ 8.00	
26	Finn	Liam	Counselor	\$ 6.25	
27	Fitzpatrick	Olivia	Arts & Crafts Asst. Grades 2-8	\$ 6.25	
28	Fonesca	Madison	CIT	\$ -	
29	Fornaro	Emily	Senior Counselor	\$ 8.00	
30	Frederickson	Maira	Senior Counselor	\$ 8.00	
31	Fuhrman	Faith	Nurse	\$ 18.00	
32	Gladdis	Jacob	Counselor	\$ 6.25	
33	Hanily	Megan	CIT	\$ -	
34	Haversat	Robert Alan	Counselor	\$ 6.25	
35	Jones	Taylor	Assistant Coordinator	\$ 10.00	
36	Kish	Maria	Counselor	\$ 6.25	
37	Krummenacker	Michael	Counselor	\$ 6.25	
38	Lindabery	Faith	Senior Counselor	\$ 8.00	
39	Macce	John	Counselor	\$ 6.25	
40	Malok	Julia	CIT	\$ -	
41	Mancuso	Maria	CIT	\$ -	
42	Manning	Heather	Coordinator	\$ 13.00	
43	Miller	Tina	Youth Director Grades 2-8	\$ -	\$ 2,000.00
44	Obiedzinski	Amanda	Senior Counselor	\$ 8.00	
45	Oldakowski	Connor	Counselor	\$ 6.25	
46	Panzarino	Zachary	Counselor	\$ 6.25	
47	Parfitt	David	Trip Counselor	\$ 8.00	
48	Pecoraro	Devan	Senior Counselor	\$ 8.00	
49	Pecoraro	Keira	Counselor	\$ 6.25	
50	Piekarski	Kyle	CIT	\$ 6.25	
51	Policastro	Allesandra	Counselor	\$ 6.25	
52	Rackley II	Otis	Trip Counselor	\$ 8.00	
53	Radican	Kathleen	Counselor	\$ 6.25	
54	Reed	Joseph	Counselor	\$ 6.25	

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55	Rooney	Andrew	Counselor	\$ 6.25	
56	Rooney	Jack	CIT	\$ -	
57	Rosenberg	Samuel	Counselor	\$ 6.25	
58	Rotolo	Matthew	Trip Counselor	\$ 8.00	
59	Sicola	Tyler	Counselor	\$ 6.25	
60	Sierp	Brianna	Counselor	\$ 6.25	
61	Smith	Dylan	Counselor	\$ 6.25	
62	Spann	Alexander	Counselor	\$ 6.25	
63	Spann	Ivan	Counselor	\$ 6.25	
64	Spann	Maximillian	Counselor	\$ 6.25	
65	Spaven	Brendan	Trip Counselor	\$ 8.00	
66	Teets	Ashley	Kinder-Rec Director	\$ -	\$ 2,000.00
67	Tracey	Elizabeth	Arts/Crafts Coordinator Kinder-Rec	\$ 14.30	
68	Tracey	Samantha	Counselor	\$ 6.25	
69	Trinity	Hannah	Counselor	\$ 6.25	
70	Trinity	Justin	Trip Counselor	\$ 8.00	
71	Ventre	Christopher	Counselor	\$ 6.25	
72	Waldmann	Brianna	Counselor	\$ 6.25	
73	Wallace	Kelley	Arts/Crafts Coordinator Grades 2-8	\$ 13.00	
74	Weiss	Lisamarie	Counselor	\$ 6.25	
75	Will	Steve	Coordinator	\$ 16.30	
76	Zengel	Luke	Counselor	\$ 6.25	

Action Item #4

Resolution #65-15 – Increasing the Deferred School Tax

Mayor Higgins introduced the matter. Administrator Joss explained the resolution.

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

Roll Call:

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

WHEREAS, the Township Council of the Township of Clinton, County of Hunterdon, State of New Jersey wish to increase the amount of the Township’s deferred school tax as promulgated by the Division of Local Government Services.

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WHEREAS, the State of New Jersey allows the municipalities to defer up to 50% of the school tax levy.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Clinton, County of Hunterdon, State of New Jersey to increase the Township's deferred school tax, stated as of December 31, 2014, and bringing the percentage to 48.46 %, as follows:

	FROM	TO	INCREASE
Local District School	10,960,000	12,000,000	1,040,000.00
Regional High School	7,040,000	7,200,000	160,000.00

BE IT FUTHER RESOLVED that the Township Clerk of the Township of Clinton be directed to file three certified copies of this resolution with the Division of Local Government Services.

VOUCHERS:

Mayor Higgins introduced the matter.

MOTION was offered by Councilman Imbriaco to approve the check control registers dated May 27, 2015 totaling \$2,823,181.68. Seconded by Mayor Higgins. There being no further discussion the roll was called. Motion carried.

Roll Call:

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

PUBLIC COMMENT:

No public comment

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EXECUTIVE SESSION:
Resolution #66-15

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

Roll Call:

Councilwoman Switlyk	Yes
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 only to consideration of 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:
 - Advice of Counsel with respect to affordable housing matters, anticipated affordable housing litigation and litigation strategy.
3. It is unknown precisely when, if ever, the matters discussed in this closed session may be released to the public.
4. No action shall be taken in closed session.
5. Matters concerning litigation may be announced upon the conclusion of any trial or settlement of that litigation.

RETURN FROM EXECUTIVE SESSION:

MOTION was made by Mayor Higgins to return from executive session. Seconded by Councilwoman Switlyk. There being no further discussion a voice vote was called. All ayes. Motion carried.

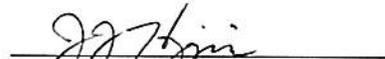
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MOTION TO ADJOURN:

MOTION was offered by Councilman Marra to adjourn at 8:30p.m. Seconded by Councilwoman Switlyk. There being no further discussion a voice vote was called. All ayes. Motion carried.

ATTEST:


Carla Conner, Acting Township Clerk


John Higgins, Mayor

Adopted: June 24, 2015