

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
June 10, 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
Victoria Britton, Esq.	Present
Marvin Joss, Administrator	Present
Carla Conner, Acting Township Clerk	Present

**APPROVAL OF MINUTES:**

Executive Session

May 13, 2015

Mayor Higgins stated the Executive Session minutes for May 13, 2015 will be tabled until June 24, 2015.

**CONSENT:**

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

MOTION was offered by Councilman Marra to approve the consent agenda. 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

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Consent #1

Resolution #67-15 – Tax Premium Refund Block 47 Lot 15, Block 88 Lot 14.06

**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>Certificate</u>	<u>Vendor</u>	<u>Premium</u>
47	15	2013-004	US BANK CUST FOR BLUE VIRGO CAPITAL MANAGEMENT ATTN TAX LIEN SERVICES GROUP 2 LIBERTY PLACE 50 SOUTH 16 <sup>TH</sup> STREET SUITE 1950 PHILADELPHIA, PA 19102	1000.00
88	14.06	2013-015	US BANK CUST FOR BLUE VIRGO CAPITAL MANAGEMENT ATTN TAX LIEN SERVICES GROUP 2 LIBERTY PLACE 50 SOUTH 16 <sup>TH</sup> STREET SUITE 1950 PHILADELPHIA, PA 19102	300.00
<b>TOTAL</b>				<b>1300.00</b>

Consent #2

Resolution 60-15 – Overpayment of taxes, Block 34 Lot 1

**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 \$1120.57; and

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

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**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
MELICK COKESBURY LLC	34	1	405 COKESBURY RD	2014-4	1120.57
PO BOX 73					
OLDWICK, NJ 08858					
<b>TOTAL REFUND</b>					<b>\$1120.57</b>

**PUBLIC COMMENT:**

Russ Congleton from Annandale stated his concerns regarding the property at 157 Main Street. Mr. Congleton stated the house is falling down, in major disrepair and the grass is high. The homeowner refuses to hook up to the water and sewerage from High Bridge. Mr. Congleton was told by High Bridge that there is ample water. The Council suggested to Mr. Congleton to talk to the zoning officer regarding the high grass and get in touch with Hunterdon County Health Department regarding the state of the house and the septic. Mr. Congleton will follow up with High Bridge to see if he and the other homeowner can apply for water and sewerage from High Bridge.

**OLD BUSINESS:**

**REPORTS:**

Councilman Imbriaco:

No report

Councilman Marra:

No report

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Council President Mullay:

Council President Mullay stated the Historical Commission received some feedback from the Historic Preservation expert that the Hamden district might not be feasible as a formal district but members are looking into making it a local district with signage and may come forth with proposals for that. Council President Mullay stated the Planning Board approved the redevelopment plan for the old municipal building and waived site plan approval for antenna changes on two cellular towers.

Marvin Joss:

Administrator Joss reported he is meeting with Tilcon, the County co-op vendor the Township uses for paving the smaller roads. A total of nine roads will be paved this year, four through the Co-op and the rest through public bidding. Residents can see what roads are being paved on the Township website.

**ACTION:**

**INTRODUCTION OF ORDINANCE:**

Ordinance 1068-15 – AN ORDINANCE AMENDING CHAPTER 4 “ADMINISTRATION OF GOVERNMENT,” ARTICLE I “TOWNSHIP COUNCIL,” §4-3 “MEETINGS,” 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 July 15, 2015. 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

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

**Section 1. §4-3 Meetings of Code Amended.** §4-3 “Meetings” of the Code of the Township of Clinton is amended in its entirety to read as follows:

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**§ 4-3. Meetings.**

A. Regular meetings. The Council shall hold its reorganization meeting annually as set forth in §4-1B. The Council shall meet regularly thereafter on such days and at such times as the Council shall establish by resolution at the reorganization meeting. Except as permitted by *N.J.S.A. 10:4-6 et seq.*, all meetings of the Council shall be open to the public.

B. Special meetings.

(1) Special meetings may be called by the Mayor at any time or shall be called by the Mayor upon the written request of a majority of the Council members. Such a request shall be in writing and signed by a majority of the members of the Council, specifying the purpose for which such meeting is to be called. No business shall be transacted at any special meeting other than that specified in the request.

(2) Upon receipt of any such request, the Mayor shall promptly direct the Clerk to serve notice in writing of such special meeting upon each member of the Council at least 24 hours prior to the time for which the meeting is called. Upon written waiver of notice executed by all members of the Council, a special meeting may be held without prior notice notwithstanding the above provisions of this section. Notice of all meetings of the Council shall be given in compliance with the *N.J.S.A. 10:4-6 et seq.*

C. Emergency meetings. The Mayor may call an emergency meeting to deal with matters of urgency and importance as provided by *N.J.S.A. 10:4-9*.

D. Executive session. Any member of the Council may move for adjournment to executive session, and upon vote of the Council an executive session shall be held from which the general public shall be excluded in accordance with *N.J.S.A. 10:4-12*.

E. Ordinances and resolutions.

(1) Each ordinance or resolution shall be introduced in written form or, if not introduced in written form, shall be later memorialized in writing, and

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shall be read and considered as provided by state statute.

- (2) All ordinances and resolutions shall be adopted and published in accordance with applicable law.
- (3) Unless provided otherwise by law all ordinances shall take effect not less than twenty days after final passage by Township Council.
- (4) The Municipal Clerk shall record all ordinances and resolutions adopted by the Council and, at the close of each year, shall bind, compile or codify all the ordinances and resolutions of the Township which then remain in effect. The Municipal Clerk shall also properly index the record books, compilation or codification of ordinances and resolutions, and update the Township website.
- (5) An ordinance or resolution may be introduced by any member of the Council. The Clerk shall forthwith provide each member of the Council with a copy thereof and shall provide the Municipal Attorney with a copy.

F. Rules and procedure.

- (1) Order of business. Promptly at the hour designated, all regular and special meetings of the Council shall commence. Agenda for regular meetings may include the following items:
  - (a) Approval or correction of minutes.
  - (b) Consent agenda. "Consent agenda" is defined as those items of Council which are considered routine by the Township Council and the Municipal Clerk. Unless the Mayor or Council specifically requests an item on the consent agenda to be removed therefrom and Council action taken separately on said item, these items shall be approved, adopted, accepted, *etc.*, by one motion of Council and roll call vote.
  - (c) Public comment.
  - (d) Reports.
  - (e) Resolutions.
  - (f) Ordinances, first reading.
  - (g) Ordinances, final reading.

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- (h) Old business.
  - (i) New business.
  - (j) Public comment.
  - (k) Adjournment.
- (2) Call to order. The Mayor shall call each meeting to order. In his/her absence, the President of the Council shall call the meeting to order and shall preside during the absence of the Mayor. The Mayor shall assume the Chair as soon as he/she is in attendance at any meeting which may have been called to order in his/her absence and the President of the Council shall thereupon relinquish the Chair.
- (3) Presiding officer. The presiding officer shall:
- (a) State the question. Rule on all questions of order, subject to appeal to Council.
  - (b) Sign the minutes of all meetings of the Council.
- (4) Quorum call. At the opening of each meeting of the Council, the Clerk shall call the roll and the names of those present shall be recorded in the minutes. Three members of the Council shall constitute a quorum for the conduct of business, but no ordinance shall be adopted except by affirmative vote of three members of the Council. If a quorum is not present 1/2 hour after the appointed time for any meeting, the meeting shall be deemed adjourned.
- (5) Distribution and reading of minutes. The Clerk shall, insofar as is practicable, prepare and distribute to the Council the minutes of each meeting within fourteen days of the meeting. The minutes of any meeting may be approved without reading whenever they have been distributed at least 24 hours prior to the time of approval. The Clerk shall promptly post a copy of the approved minutes on the Township website and a paper copy in a public place in the Municipal Building and leave such paper copy posted for 30 days.
- (6) Committees. Special committees of Council for legislative purposes may be appointed by the Mayor.
- (7) Nominations and appointments to boards, commissions, authorities, and committees. Appointments made by the Mayor will be presented to Council at

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a regular meeting and/or at the annual reorganization meeting. With respect to appointments to be made by the Mayor with the advice and consent of the Council, any member of the Council may also nominate as many candidates as there are offices to be filled.

(8) Rules of debate.

- (a) Except as otherwise specifically provided in these rules, the proceedings of Council shall be governed by Robert's Rules of Order.
- (b) The presiding officer shall have all the rights, powers and duties of a Council member, as elsewhere provided within this chapter, and in addition shall have the right to set a time limit for discussion of the subject and a time limit for individual comments.
- (c) A member of the Council shall be entitled to the floor only upon recognition by the presiding officer. Once a member has been recognized and has taken the floor, he/she shall not be interrupted for any reason other than a call to order, and in such case the presiding officer shall promptly rule on the point of order and the speaker shall be allowed to continue if he/she is in order.
- (d) Council members may dispense with rules of debate when appropriate to any issue, by a majority vote.

(9) Addressing the Council.

- (a) Persons other than Council members may be permitted to address the Council in the proper order of business. A person present may, upon recognition by the presiding officer, be heard during periods devoted to public comment. A person present may, upon recognition by the presiding officer and with the consent of a majority of the Council members present, be heard at any other time. No person shall address any remark or question to any specific member of Council, nor to any other person present except by permission of the presiding officer. A member of the Council may, with the approval of the presiding officer, respond to any communication or address received pursuant to this section.

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- (b) Except upon consent of the presiding officer, each person addressing the Council pursuant to this section shall be required to limit his/her remarks to five minutes. The presiding officer shall call any speaker to order who violates any provision of this rule.
- (10) Decorum.
- (a) Each member of the Council shall cooperate with the presiding officer in preserving order and decorum, and no member shall, by conversation or otherwise, delay or interrupt the proceedings of the Council nor disturb any member while speaking or fail to abide by the orders of the Council or its presiding officer.
  - (b) The Police Department shall designate a member of the Department to serve as Sergeant at Arms at Council meetings. The Sergeant at Arms shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at such meetings. The Sergeant at Arms shall not be required to be in attendance at the meeting, unless requested by the Mayor or Clerk.
- (11) Filing of reports, petitions and resolutions. All reports to the Council and all resolutions and all petitions shall be filed with the Clerk and referenced in the minutes of the Council.
- (12) Adjournment. A motion to adjourn shall always be in order and shall be decided without debate.

**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 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.

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**VOUCHERS:**

Mayor Higgins introduced the matter.

MOTION was offered by Councilman Marra to approve the check control registers dated June 10, 2015 totaling \$255,328.93. 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

**PUBLIC COMMENT:**

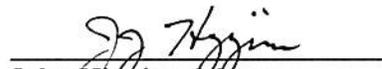
Sharon Schutts from Lebanon questioned if the Township Engineer had promised to talk with the residents from Apgar Lane when she visited the site to prepare her report. Administrator Joss stated it was agreed that the residents would only be notified if work was being done on the lane that would necessitate closing it for a period of time, not when the Engineer went out to look at the road. Ms. Schutts questioned if the residents would be receiving the Engineer's report. Mayor Higgins stated once the report is on the agenda the residents can go to the Clerk's office and request a copy.

**MOTION TO ADJOURN:**

MOTION was offered by Councilman Imbriaco to adjourn at 7:54p.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: August 12, 2015