

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
September 9, 2015

---

**TABLE OF CONTENTS**

---

**CALL TO ORDER:** Flag Salute: Open Public Meetings Act Statement.....2

**ROLL CALL:** .....2

**APPROVAL OF MINUTES:**.....2

**CONSENT:**.....2

**NEW BUSINESS:**.....7

**PUBLIC COMMENTS:** .....8

**REPORTS:**.....8

**OLD BUSINESS:**..... 10

**ORDINANCE ADOPTION:**..... 11

**RESOLUTIONS:** ..... 14

**VOUCHERS:** ..... 15

**PUBLIC COMMENT:** ..... 16

**EXECUTIVE SESSION:** ..... 16

**RETURN FROM EXECUTIVE SESSION:** ..... 17

**ADJOURN:**..... 17



TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
September 9, 2015

Consent #1

Resolution #88-15 – Overpayment of taxes, Block 88 Lot 3.01

**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 \$778.31; 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
TAD J DABROWSKI	88	3.01	6 RED SCHOOLHOUSE RD	2014-4	778.31
490 MOUNTAIN RD					
LEBANON, NJ 08833					
<b>TOTAL REFUND</b>					<b>\$778.31</b>

Consent #2

Resolution #89-15 – Premium Refund, Block 34 Lot 6.12, Block 34 Lot 6.10

**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
34	6.12	2012-006	SB MUNI CUST % LBNJ, LLC	53,100.00

TOWNSHIP OF CLINTON  
 REGULAR COUNCIL MEETING  
 September 9, 2015

			PO BOX 37531	
			BALTIMORE, MD 21297-7531	
34	6.10	2012-005	DATA VENTURES I LLC	<b>21,000.00</b>
			PO BOX 20	
			LEBANON, NJ 08833	
			<b>TOTAL</b>	<b>74,100.00</b>

Consent #3

Resolution #90-15 – Chapter 159 – Clean Communities

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Township of Clinton, County of Hunterdon, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2015 budget in the sum of \$37,002.92

**BE IT FURTHER RESOLVED**, that the like sum of \$37,002.92 is hereby appropriated under the caption, Clean Communities;

Consent #4

Resolution #91-15 – Chapter 159 – Alcohol Ed Rehab Enforcement Fund

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount.

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
September 9, 2015

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Township of Clinton, County of Hunterdon, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2015 budget in the sum of \$2,651.99, which is now available from the State of New Jersey Alcohol Ed Rehab Enforcement Fund.

**BE IT FURTHER RESOLVED**, that the like sum of \$2,651.99 is hereby appropriated under the caption, Alcohol Ed Rehab Fund; and

**BE IT FURTHER RESOLVED** that the above is the result of funds from New Jersey Alcohol Ed Rehab Enforcement Fund.

Consent #5

Resolution #92-15 – Chapter 159 – OEM Subgrant Program (EMAA)

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Township of Clinton, County of Hunterdon, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2015 budget in the sum of \$5,000.00, which is now available from the State of New Jersey Department of Law and Public Safety Division of State Police Office of Emergency Management Agency Assistance Subgrant Program (EMAA).

**BE IT FURTHER RESOLVED**, that the like sum of \$5,000.00 is hereby appropriated under the caption, EMMA; and

**BE IT FURTHER RESOLVED** that the above is the result of funds from New Jersey Department of Law and Public Safety Division of State Police Office of Emergency Management Agency Assistance Sub-grant Program (EMAA)

Consent #6

Resolution #93-15 – Change Order No. 2 – Cratetown Road

**WHEREAS**, during construction of the above mentioned project, changes were required for hand digging around the Williams Transcontinental Pipeline easement, and the removal of stumps required to complete roadway improvements; and

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
September 9, 2015

**WHEREAS**, these changes resulted in an increase to the original contract amount of 1.27%;  
and

**WHEREAS**, this change of \$3,308.28 results in a total increase in the total contract of  
\$5,745.85; and

**WHEREAS**, the original contract amount was \$452,033.00 and the adjusted amount is  
\$457,778.85

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of  
Clinton, County of Hunterdon, State of New Jersey, that the change order in the amount of  
\$3,308.28 is approved.

Consent #7

Resolution #94-15 – Change Order No. 3 – Cratetown Road

**WHEREAS**, during construction of the above mentioned project, changes were to reflect the  
final as-built quantities for the Base Bid line items and the monetary penalty for asphalt  
composition.; and

**WHEREAS**, these changes resulted in an increase to the original contract amount of 1.35%;  
and

**WHEREAS**, this change of \$361.62 results in a total increase in the total contract of  
\$6,107.47; and

**WHEREAS**, the original contract amount was \$452,033.00 and the adjusted amount is  
\$458,140.47

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of  
Clinton, County of Hunterdon, State of New Jersey, that the change order in the amount of \$361.62  
is approved.

Consent #8

Resolution #95-15 – Release of Escrows

**BE IT RESOLVED** that certain performance guarantees and escrows have been  
recommended by the Planning Board and Township Engineer to be reduced,

**NOW, THEREFORE BE IT RESOLVED** that the following refunds be issued:

Amount	Block / Lot	Street Address	Applicant	Type of Permit
--------	-------------	----------------	-----------	----------------

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
September 9, 2015

\$1,681.78      4.03/36.01      9 Hadler Drive      Crown Castle USA      Escrow

**NEW BUSINESS:**

Mayor Higgins opened the discussion to the public regarding firearms discharge.

Leigh Jezorek from Stanton Mountain Road stated he believes in gun safety and believes if the Township allows hunting the Township is allowing discharging of a firearm. Mr. Jezorek stated if the Township is not going to allow shooting a target the Township should not allow hunting. Mayor Higgins stated a recent newspaper article concerning the discharge of firearms in the Township was phrased in an unfortunate way. The Mayor stated the Council was only looking at minimum distance from structures regarding discharge and never said it was looking to eliminate target practice on private property. Mr. Jezorek stated he fully understands where safety would be a big concern. Mr. Jezorek stated that in larger lots, like 30-100 acres, with a safe shooting environment, restrictions might unfairly restrict people like himself. Administrator Joss stated this discussion centers more on what the proper distance should be between the shooter and a building. Councilman Marra stated there are no formal proposals at the Council level to change anything at this time.

Joanne Filus from Circle Drive stated she would like to thank the Council for initiating research into this matter. Ms. Filus stated she was the person initiating the conversation for the Council to look into this matter but never stated she didn't want target shooting or to ban target shooting. Ms. Filus stated her reason was safety and would like the Council to keep safety in mind.

Alison Grantham from Beaver Avenue stated she was at the last Council meeting and was disturbed that the Township does not have an ordinance in place regarding discharging of firearms and is in favor of the Township addressing this manner.

David Pfeffer from Herman Thau Road stated he has looked at other towns ordinances surrounding Clinton Township and a lot of the issues regarding gun safety. Mr. Pfeffer's concern is distance and acreage limits.

Lawrence Martin from Concord Road stated he was not in favor of the original proposal of 1000 yards. Mayor Higgins stated the Town of Clinton has a 1000 yard ordinance in place and not the Township of Clinton. Mayor Higgins pointed out the Township Council has never advocated a 1000 yard minimum and reporting of that was entirely incorrect.

Randy Dembo from Deer Path Road stated he and Ms. Filus initially started this conversation with the Council and the newspaper misquoted them as wanting discharging of firearms banned. Mr. Dembo stated the reason why they started the conversation was to have some kind of restrictions for discharging of firearms.

Kevin Malloy from David Post Road questioned if the noise Ordinance will be changed for the shooting of firearms. Council President stated the discharging of firearms is not included in the noise Ordinance and the Council will be looking into making changes to the ordinance. Mr. Malloy

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
September 9, 2015

requested if the Council can make the shooting of firearms earlier than dusk since dusk changes daily. Mr. Malloy questioned if the Council will include in the ordinance what will be a safe target area. Mayor Higgins stated the Council has not gotten to that point to discuss safe target areas.

Richard Gajda from Grayrock Road stated the Council will make it to difficult for residents who discharge firearms on their property if The Township has formal standards on everything including safe target areas. Mr. Gajda stated the Council should consider having the shooter responsible for all projectiles remain on their own property in the ordinance.

Cindy Kuenstner from NJ Division of Fish and Wildlife stated this issue was brought to her attention by some residents and sportsmen. Ms. Kuenstner presented the Council an offer to assist the Township with their services on the topic of firearms discharge. Mayor Higgins thanked her for the offer.

**Cable Committee discussion:**

Mayor Higgins stated that Comcast's agreement with the Township will expire in 2018. Comcast has notified the Township it would like to start negotiations with the Township. The Mayor stated the Township will update the current Ordinance to have 3-5 people on the Cable Committee.

**PUBLIC COMMENT:**

John Hughes from LaCosta Drive stated he would like the Township to look into the safety concerns at the intersection of Route 31, Country Club Drive and Walnut Pond Rd. Mr. Hughes stated he contacted Senator Doherty. Mr. Hughes said Senator Doherty's office stated Mr. Hughes must contact Clinton Township to agree to participate at 25% of the cost if the State would participate and make changes and improvements to the intersection. Senator Doherty's office stated if Mr. Hughes received cooperation from the Township, Mr. Doherty will write a letter with the request from the Township to the State and see that it gets preferential treatment. Mr. Hughes explained the issues he would like to see changed. The Council stated the Township Engineer will look at the intersection and we will write the DOT asking them to look at the intersection.

**REPORTS:**

Councilman Marra

No report

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
September 9, 2015

Mayor Higgins:

Mayor Higgins reported David Pfeffer was being appointed as the Township's liaison to the Raritan Valley Rail Coalition organization. Mayor Higgins stated the Township Planners are undertaking several Highlands related updates.

MOTION was made by Mayor Higgins to approve the updating of Highlands modules 2, 3 & 7 with funding from Highlands. Seconded by Councilman Marra. There being no further discussion the roll was called. Motion carried.

Roll Call:

Councilman Marra	Yes
Councilman President Mullay	Yes
Mayor Higgins	Yes

Councilwoman Switlyk:

Councilwoman Switlyk reported that the School Board met on August 24. The School Board discussed the HIB assessment for the past year. The School Board is looking at an interim program currently used by the North Hunterdon/Voorhees Regional high school district. The School Board announced two new hires. The anticipated 2015-2016 enrollment is down from 1468 to 1403. Council Switlyk reported that Frank Helies was named Interim Superintendent for the NH/Voorhees School district for the period of September 1, 2015 through June 30, 2016. The NH/Voorhees School district will have a referendum on the November's ballot for a \$7.3 million bond. The district reported they will receive about 24% in debt service aid from the state if the referendum passes, resulting in an annual cost of \$489K. Clinton Township residents will contribute at least 30%.

Council President Mullay:

Council President Mullay reported the Historic Commission met last week and is looking to update some issues with the Historic Preservation ordinance. The Historic Commission is looking at ways to improve and preserve Windy Acres at both the site and the property. Council President Mullay report the YMCA made a presentation to the Planning Board.

Marvin Joss:

Administrator Joss reported bid specs are coming in for a number of roads.

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
September 9, 2015

**OLD BUSINESS:**

RFP discussion for the Old Municipal Building site (The Fox Seals site)

Mayor Higgins stated all of the paperwork has been completed as the Ordinance was adopted for redevelopment. Joe Burgis, the COAH Planner gave a presentation on the basic concept for an RFP on the old municipal building.

Catherine Riihimaki from West Street questioned how optimistic the Council is that multiple developers will be interested in our RFP. COAH Planner, Joe Burgis stated from his experience with other municipalities Mr. Burgis is seeing much more interest in projects like this. Mayor Higgins stated he has already heard from two developers that are interested. Ms. Riihimaki stated while the old municipal building is not being developed right now the building still needs to be maintained and should have a maintenance plan until it is developed instead of the residents complaining about the conditions of the building. Councilman Marra asked Ms. Riihimaki about the parking lot issue. Ms. Riihimaki stated she thinks the public parking lot is not used as much as Council thinks, and doesn't need to be so large. She would like to see some green space there that would provide for some community space for the Village.

Alison Grantham from Beaver Avenue stated she walks past the building everyday and does not see any issues with parking. Ms. Grantham would like to see more green space.

MOTION was made by Council President Mullay to issue the RFP plan with the concept to vacate a portion of Washington Street to serve as dedicated parking for the redeveloped building while the current parking lot would be subdivided off and retained by the Township as a public lot. Seconded by Councilman Marra. There being no further discussion the roll was called. Motion carried.

Roll Call:

Councilman Marra	Yes
Councilman President Mullay	Yes
Mayor Higgins	Yes

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
September 9, 2015

**ACTION:**

**ORDINANCE ADOPTION/PUBLIC HEARING:**

1072-15 - ORDINANCE TO PETITION THE HIGHLANDS COUNCIL FOR PLAN  
CONFORMANCE FOR THE PLANNING AREA

Mayor Higgins introduced the matter and opened the public hearing.

There being no public comments, Mayor Higgins closed the public hearing.

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

Roll Call:

Councilman Marra	Yes
Councilman President Mullay	Yes
Mayor Higgins	Yes

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

**Section 1. Purpose.** The Township of Clinton is located partially within that portion of the New Jersey Highlands Region defined by the Highlands Act, as the "Planning Area" (see, Section 4 Definitions, below). This Ordinance is enacted pursuant to Section 15.a. of the Highlands Water Protection and Planning Act (Highlands Act, N.J.S.A. 13:20-1 et seq.), which provides that a municipality may choose to conform its master plan, development regulations, and other regulations to the provisions of the Highlands Regional Master Plan, with respect to lands located within the Planning Area, and by Ordinance, petition the New Jersey Highlands Water Protection and Planning Council ("Highlands Council") for Plan Conformance approval of such planning and regulatory documents.

By adoption of this Ordinance, the Mayor and Council of the Township of Clinton establish that the Township shall conform its master plan, development regulations, and all other regulations applicable to the use and development of land within the Planning Area of the Township, to achieve consistency with the goals, requirements, and provisions of the Highlands Regional Master Plan. Said conformance shall be in accordance with the provisions of Highlands Council approval of the Township's Petition for Plan Conformance, which was submitted to the Highlands Council by Resolution adopted by the Mayor and Council on December 2, 2009, and which the Highlands Council approved with certain conditions by Highlands Council Resolution No. 2015-13 adopted on June 18, 2015. Further, this Ordinance specifically reserves the rights of the Township as specified by the Highlands Act, with respect to the voluntary nature of Plan Conformance for the Planning Area.

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
September 9, 2015

**Section 2. Basis and Background.** The Highlands Act finds and declares that protection of the Highlands Region is an issue of State level importance because of its vital link to the future of the State's drinking water supplies and other significant natural resources. The Highlands Act creates a coordinated land use planning system requiring the Highlands Council to prepare and adopt a Regional Master Plan that serves to protect, restore and enhance the significant resources the Highlands Region. The Highlands Act sets forth a bifurcated system for municipal conformance with the goals, requirements and provisions of the Regional Master Plan. Pursuant to Section 14.a. of the Highlands Act, a municipality located wholly or partially in the Preservation Area was required to submit by December 8, 2009 a revised municipal master plan, development regulations and other regulations, as applicable to the development and use of land in the Preservation Area, to conform them with the Regional Master Plan.

Pursuant to Section 15.a. of the Highlands Act, for a municipality located wholly in the Planning Area or for any portion of a municipality lying within the Planning Area, the municipality may submit at any time a revised master plan, development regulations and other regulations, as applicable to the development and use of land in the Planning Area, that conforms with the Regional Master Plan. Plan Conformance by a municipality is strictly voluntary for lands in the Planning Area.

Consequently, the Township of Clinton, having lands in the Planning Area of the Highlands Region, did submit as part of a Petition for Plan Conformance to the Highlands Council on December 8, 2009, proposed revisions to the master plan, development regulations and other regulations that relate to the development and use of land in the Planning Area. On June 18, 2015, the Highlands Council adopted Resolution No. 2015-13 approving the Township of Clinton's Petition for Plan Conformance. The approval was conditioned upon the Township of Clinton's adoption of an ordinance pursuant to Section 15a of the Highlands Act, formally petitioning the Highlands Council for Plan Conformance for lands within the Planning Area.

**Section 3. Applicability.** This Ordinance applies to the development and use of land located in the Planning Area of the Township of Clinton, as defined by Section 7 of the Highlands Act.

**Section 4. Definitions.** For the purpose of this Ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Ordinance clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

**Highlands Council** – means the New Jersey Highlands Water Protection and Planning Council.

**Highlands Act** – means the Highlands Water Protection and Planning Act, P.L. 2004, c.120, as amended, codified in part at N.J.S.A. 13:20-1 *et seq.*

**Highlands Region** means all that area within the boundaries of the municipalities listed in subsection a. of section 7 of the Highlands Act.

**Planning Area** - means lands within the Highlands Region not within the Preservation Area (N.J.S.A. 13:20-7).

**Plan Conformance** – means the process by which a municipality revises the master plan, development regulations and other regulations related to the development and use of land to conform them with the

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
September 9, 2015

goals, requirements, and provisions of the Regional Master Plan in accordance with the Highlands Plan Conformance Guidelines.

**Preservation Area** – means that portion of the Highlands Region so designated by subsection b. of section 7 of the Highlands Act.

**Regional Master Plan**– means the Highlands regional master plan or any revision thereof adopted by the Highlands Council pursuant to N.J.S.A. 13:20-8.

**Section 5. Petition for Plan Conformance.** The Township of Clinton hereby formalizes its Petition for Plan Conformance to the Highlands Council, declaring it fully effective for lands in the Planning Area of the municipality, said Petition having been approved by the Highlands Council subject to the conditions as set forth in Highlands Council Resolution No. 2015-13, adopted on June 18, 2015.

**Section 6. Reserved Right of Withdrawal for Planning Area.** At any time, the Township of Clinton may withdraw that portion of its Petition for Plan Conformance for the Planning Area. In such event, any approvals, rejections or conditions of the revised municipal master plan, development regulations or other regulations that pertain to the Planning Area, as set forth by the Highlands Council in approving Resolution No. 2015-13, will not be binding upon the Township of Clinton. Any such withdrawal, should it occur, shall require repeal of this Ordinance, and shall be followed by formal notification to the Highlands Council, sent within ten (10) days of adoption by certified mail and including a certified copy of such repealing ordinance.

**Section 7. Planning Grants and Technical Assistance.** Upon application of the Township of Clinton, the Highlands Council has made, or will make, grant funding and other financial and technical assistance available to the Township of Clinton for the reasonable costs associated with the revision of the master plan, development regulations or other regulations, which revisions are designed to bring those plans and regulations into conformance with the Regional Master Plan. The Highlands Council shall provide grant funds for all mandatory aspects of Plan Conformance in accordance with the Plan Conformance Grant Program, and may also provide grant funds for the discretionary aspects of Plan Conformance as determined by the Highlands Council. As Plan Conformance for lands in the Planning Area is strictly voluntary, the Township of Clinton retains the right to withdraw that portion of the Petition relating to lands lying in the Planning Area from the Plan Conformance process at any time.

**Section 8. 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 9. Effective Date.** This ordinance shall take effect upon passage, publication and in accordance N.J.S.A. 40:69A-181.

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
September 9, 2015

**RESOLUTIONS:**

**Action Item #1**

Resolution #96-15 – Authorizing a Grant application for sidewalks in the village of Annandale

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 Marra	Yes
Councilman President Mullay	Yes
Mayor Higgins	Yes

**WHEREAS**, there is a need to improve the sidewalk network leading to the Annandale Train Station, and;

**WHEREAS**, the State of New Jersey has began accepting grant applications for the Safe Streets to Transit grant program.

**NOW THEREFORE, BE IT RESOLVED**, that the Administrator, Clerk and Township Engineer are hereby authorized to submit an electronic grant application, indentified as SST-2016-Clinton Township-00006 to the NJ State Department of Transportation on behalf of Clinton Township.

**BE IT FURTHER RESOLVED**, that should the grant application prove to be successful, the Administrator and Clerk are hereby authorized to sign the grant agreement on behalf of the Township, and that their signature constitutes acceptance of the terms and conditions of the grant.

**Action Item #2**

Resolution #97-15 – Authorizing a contract to construct a DPW Washbay

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 Marra	Yes
Councilman President Mullay	Yes
Mayor Higgins	Yes

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
September 9, 2015

**WHEREAS**, pursuant to the Local Public Contracts Law (*N.J.S.A. 40A:11-1 et seq.*) the Township of Clinton solicited bids for the construction of the Department of Public Works washbay; and

**WHEREAS, on July 17, 2015, 1 (one) bid was received; and:**

**WHEREAS**, CB Structures, Inc, 202 Orlan Road, New Holland, PA, with a bid in the amount of \$158,705, was the lone bidder; and

**WHEREAS**, the Township Attorney has reviewed CB Structures bid documents and has determined that they are acceptable; and

**WHEREAS**, the Township desires to award the contract for the construction of the Washbay to CB Structures.; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available for this purpose.

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

1. The Mayor and Township Clerk are hereby authorized and directed to enter into an agreement with CB Structures, for the construction of the Public Works Washbay, for an amount not to exceed \$158,705 without prior Council approval.
2. A copy of this Resolution, and the executed Agreement, shall be placed in the files of the office of the Clerk.

**VOUCHERS:**

Mayor Higgins introduced the matter.

MOTION was offered by Councilman Marra to approve the check control registers dated September 9, 2015 totaling \$3,011,778.59. Seconded by Council President Mullay. There being no further discussion the roll was called. Motion carried.

Roll Call:

Councilman Marra	Yes
Councilman President Mullay	Yes
Mayor Higgins	Yes

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
September 9, 2015

**PUBLIC COMMENT:**

No public comment

**EXECUTIVE SESSION:**

Resolution #98-15

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 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, pending 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. Upon the conclusion of any trial or settlement of that litigation, the matter might be disclosed to the public.

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
September 9, 2015

**RETURN FROM EXECUTIVE SESSION:**

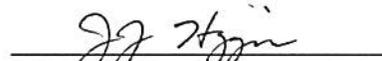
MOTION was made by Council President Mullay to return from executive session. Seconded by Mayor Higgins. There being no further discussion a voice vote was called. All ayes. Motion carried.

**MOTION TO ADJOURN:**

MOTION was offered by Councilman Marra to adjourn at 9:10p.m. Seconded by Council President Mullay. There being no further discussion a voice vote was called. All ayes. Motion carried.

ATTEST:

  
Carla Conner, Acting Township Clerk

  
John Higgins, Mayor

Adopted: November 12, 2015