

TOWNSHIP OF CLINTON
REGULAR COUNCIL MEETING
October 28, 2015

TABLE OF CONTENTS

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

ROLL CALL:2

APPROVAL OF MINUTES:.....2

CONSENT:.....2

PUBLIC COMMENTS:5

NEW BUSINESS:5

REPORTS:5

VOUCHERS:6

PUBLIC COMMENT:7

EXECUTIVE SESSION:7

RETURN FROM EXECUTIVE SESSION:7

ADJOURN:.....8

TOWNSHIP OF CLINTON
REGULAR COUNCIL MEETING
October 28, 2015

CALL TO ORDER:

Mayor Higgins called the meeting to order at 7:30 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 Marra	Present
Council President Mullay	Present
Mayor Higgins	Present
Kristina P. Hadinger, Esq.	Present
Marvin Joss, Administrator	Present
Carla Conner, Acting Clerk	Present

APPROVAL OF MINUTES:

Regular Session	August 12, 2015
Executive Session	August 12, 2015

Mayor Higgins introduced the matter.

MOTION was made by Councilman Marra to approve the above-referenced minutes. Seconded by Councilwoman Switlyk. There being no further discussion a voice vote was called. Motion carried.

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 Marra. There being no further discussion a voice vote was called. All ayes. Motion carried.

Consent #1

Resolution #109-15 – Approving the grant application and accepting funds for Stanton Mountain 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

TOWNSHIP OF CLINTON
REGULAR COUNCIL MEETING
October 28, 2015

BE IT FURTHER RESOLVED, that the Mayor and Acting Clerk are hereby authorized to submit an electronic grant application identified as Clinton Township MA 2016 Stanton Mountain Road - 00516 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.

Consent #2

Resolution #110-15 – Tax Refund – 100% disabled veteran

WHEREAS, pursuant to N.J.S.A. 54:5-3.30, the dwelling of a disabled veteran shall be exempt from real property taxes; and

WHEREAS, Raymond Laurence, a veteran determined to have suffered a 100% service related disability; and

WHEREAS, the determination of the said disability, is retroactive to December 5, 2014; and

WHEREAS, real estate taxes on this property known as Block 81 Lot 35 had been billed and paid for 2014 and first and second quarters 2015, and

WHEREAS, pursuant to N.J.S.A. 54:4-32, the governing body of a municipality may by resolution cancel taxes due on a property which would have been exempt had the claim been made at the time they were due; and

WHEREAS, Raymond Laurence is entitled to a refund of 2014 real estate taxes from December 5, 2014 through December 31, 2014 in the amount of \$539.93 and first quarter 2015 in the amount of \$3887.52;

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 attached listing.

VENDOR	BLOCK	LOT	LOCATION	YR/QTR	AMOUNT
Laurence, Raymond & Theresa	81	35	10 Wales Court	14/4	539.93
10 Wales Court				15/1 + 2	3,887.52
Annandale, NJ 08801					
TOTAL REFUND					\$ 4427.45

TOWNSHIP OF CLINTON
REGULAR COUNCIL MEETING
October 28, 2015

Consent #3

Resolution #111-15 – Chapter 159 – NJ Division of Criminal Justice Body Armor 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.

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 \$2,436.47, which is now available from the State of New Jersey Law and Public Safety, Division of Criminal Justice Body Armor.

BE IT FURTHER RESOLVED, that the like sum of \$2,436.47 is hereby appropriated under the caption Body Armor; and

BE IT FURTHER RESOLVED that the above is the result of funds from New Jersey Division of Criminal Justice Body Armor fund.

Consent #4

Resolution #112-15 – Chapter 159 – DDEF Grant

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 budget of the year 2015 in the sum of \$5,369.30 which is now available from the State of New Jersey Division of Motor Vehicles.

BE IT FURTHER RESOLVED, that the like sum of \$5,369.30 is hereby appropriated under the caption, DDEF Grant; and

TOWNSHIP OF CLINTON
REGULAR COUNCIL MEETING
October 28, 2015

BE IT FURTHER RESOLVED that the above is the result of funds from New Jersey Division of Motor Vehicles.

Consent #5

Resolution #113-15 – Release of performance bond – Village Green

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
\$41,804.01	B49/ L25	9 Main Street	Village Green	Perf. Guarantee

PUBLIC COMMENTS:

No public comment

NEW BUSINESS: Land Use Ordinances

Mayor Higgins stated there are a number of land use ordinance changes that will be introduced at future meetings.

REPORTS:

Councilman Switlyk:

Councilwoman Switlyk reported the Board of Education met October 26. There were two presentations for grant money. The next School Board meeting is November 16.

Councilman Marra:

No report

TOWNSHIP OF CLINTON
REGULAR COUNCIL MEETING
October 28, 2015

Mayor Higgins:

Mayor Higgins reported that the Planning Board is working on the final draft of the Master Plan reexamination report. Exxon Mobil gave the Mayor and Administrator Joss a tour of its site on Route 22. Mayor Higgins stated Administrator Joss looked into old capital ordinances and the Township has approximately \$300,000 that was approved and appropriated for a previous affordable housing project that did not come to fruition, and now can be used for future projects. Mayor Higgins would like an Ordinance drafted for a Fire Official to handle the smoke detector and fire extinguisher certifications for residential structures, instead of them being done through the CCO process in the Building Department. Mayor Higgins reported he will be a representative on Hunterdon County's Economic Development Committee.

Council President Mullay:

Council President Mullay reported that Saturday, November 21 he and Mayor Higgins will hold a Town Hall meeting at the Annandale Reformed Church in Annandale.

Marvin Joss:

Administrator Joss reported leaf pickup started on Monday, October 26. Administrator Joss reported brush drop off ends November 14. Administrator Joss reported Hunterdon County discontinued the Animal Control Service for the towns effective 2016, after only one year of operation.

VOUCHERS:

Mayor Higgins introduced the matter.

MOTION was offered by Councilman Marra to approve the check control registers dated October 28, 2015 totaling \$2,402,962.67. Seconded by Council President Mullay. There being no further discussion the roll was called. Motion carried.

Roll Call:

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

TOWNSHIP OF CLINTON
REGULAR COUNCIL MEETING
October 28, 2015

PUBLIC COMMENT:

No public comment

EXECUTIVE SESSION:

Resolution #114-15

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

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.

RETURN FROM EXECUTIVE SESSION:

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

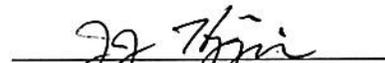
TOWNSHIP OF CLINTON
REGULAR COUNCIL MEETING
October 28, 2015

MOTION TO ADJOURN:

MOTION was offered by Council President Mullay to adjourn at 8:10p.m. Seconded by Councilwoman Switlyk. There being no further discussion a voice vote was called. All ayes. Motion carried.

ATTEST:


Carla Conner, Township Clerk


John Higgins, Mayor

Adopted: January 27, 2016