

**TOWNSHIP OF CLINTON**  
**REORGANIZATION MEETING**  
 JANUARY 6, 2016  
 7:00 P.M.

**MINUTES**

**TABLE OF CONTENTS**

Call to Order / Call of the Roll ..... 4

Oath of Office to Elected Officials ..... 4

Roll Call:..... 4

Nominations for Council President ..... 4

Resolution #01-16 – Appointing Carla Conner as Municipal Clerk ..... 4

Oath of Office to the Annandale Hose Officers ..... 5

Resolution #02-16 – Appointing Professionals ..... 5  
 Nominated by Mayor with advice and consent of Council

Appointments of the Mayor ..... 7

- Finance Committee
- Personnel Committee
- Board of Adjustment
- Environmental Commission
- Board of Health
- Historic Preservation Commission
- Planning board

Appointments Approved by the Township Council ..... 8

- Class III Council – Planning Board

Appointments of Mayor with Advice and Consent of the Township Council ..... 8

- Open Space Advisory Committee
- Recreation Advisory Committee

Personnel Appointments:..... 9

- Zoning Officer
- Health Benefits Coordinator
- Recycling Coordinators
- Public Agency Compliance Officer

- Compliance Officer
- Public Defender
- Municipal Prosecutor

Board/Commission Liaisons.....9

- Board of Education – Clinton Township
- North Hunterdon-Voorhees
- Environmental Commission
- Historical Commission
- Open Space Advisory Committee
- Recreation Committee
- Sewerage Authority
- Board of Health
- Solid Waste Advisory
- Cable Advisory

Consent:

Resolution #03-16– Meeting Schedule for 2016 ..... 10

Resolution #04-16 – Setting the Reorganization Meeting for 2017, fees for meeting notices  
and designating the official newspapers ..... 11

Resolution #05-16 – Authorizing the CFO to Make Investments ..... 12

Resolution #06-16 – Setting the Delinquent Tax Rate and canceling taxes less than \$10..... 12

Resolution #07-16 - Designating Official Depositories ..... 13

Resolution #08-16 - Payment of Health Benefits and authorizing the Paymaster to pay  
employees ..... 14

Resolution #09-16 - Authorizing Signatures on Township Checks ..... 15

Resolution #10-16 - Authorizing Change Funds – Township Clerk, Tax Collector,  
Construction, Court and Recreation Department..... 15

Resolution #11-16 - Petty Cash – Finance and Police Department..... 16

Resolution #12-16 - Tax Collector to hold a Tax Sale ..... 16

Resolution #13-16 – Township Council to File Tax Appeals ..... 16

Resolution #14-16 – Authorizing the Tax Assessor to File Corrective Appeals..... 17

Resolutions:

Resolution #15-16 - Adopting the temporary budget..... 17

Resolution #16-16 - Transfer of Funds..... 19

Resolution #17-16 - Approval to Refund Balance of Inactive Escrow Accounts .....20

Resolution #18-16 - Approval to Close Balance of Inactive Escrow Accounts to Fund Balance.....20

Resolution #19-16 - Adoption of Resolution of Need Authorizing Affordable Housing  
Agreement for Beaver Brook Homestead.....21

Resolution #20-16 - Appointing Patrick Rinaldi as Fire Official .....22

Introduction of Ordinance: .....23  
Reports:.....25  
Vouchers:.....25  
Public Comment .....25  
Executive Session: .....26  
Adjournment.....27

**CALL TO ORDER/CALL OF THE ROLL:**

Mayor Higgins conducted the flag salute and gave the statement of adequate notice.

**OATH OF OFFICE TO NEWLY ELECTED OFFICIALS:**

Dan McTiernan was sworn in by Township Attorney Kris Hadinger.

**ROLL CALL:**

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

**NOMINATIONS FOR COUNCIL PRESIDENT – MOTION**

Mayor Higgins made a motion to nominate Brian Mullay as Council President. Seconded by Councilwoman Switlyk. There being no further discussion a voice vote was called. Motion carried.

Roll Call:	Councilwoman Switlyk	Yes
	Councilman McTiernan	Yes
	Council President Mullay	Yes
	Mayor Higgins	Yes

**RESOLUTION 01-16**

**APPOINTING CARLA CONNER AS MUNICIPAL CLERK**

Council President Mullay made a motion to approve the above resolution. Seconded by Councilwoman Switlyk. There being no further discussion a voice vote was called. Motion carried.

Roll Call:	Councilwoman Switlyk	Yes
	Councilman McTiernan	Yes
	Council 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**, since that time Ms. Conner has served the Township well in that position, and;

**WHEREAS**, Ms. Conner has recently passed the State of New Jersey Municipal Clerk Exam, achieve her license as a Municipal Clerk, making her eligible to be a Municipal Clerk in the State of New Jersey.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Clinton, County of Hunterdon, State of New Jersey, that effective January 6, 2016, Carla Conner is hereby appointed to the position of Municipal Clerk pursuant to N.J.S.A. 40A:9-133 for a three (3) year term, which term expires January 5, 2019.

**BE IT ALSO RESOLVED**, pursuant to this appointment, that Ms. Conner’s salary shall also be amended as of January 6, 2016 to reflect a yearly total of \$60,000.

**OATH OF OFFICE TO THE ANNANDALE HOSE OFFICERS:**

The Lieutenants of the Annandale Hose Company were sworn in by the Township Clerk.

The Captains of the Annandale Hose Company were sworn in by the Township Clerk.

The Deputy Chief of the Annandale Hose Company was sworn in by the Township Clerk.

The Chief of the Annandale Hose Company was sworn in by the Township Clerk.

**RESOLUTION 02-15**  
**APPOINTING THE TOWNSHIP PROFESSIONALS FOR THE YEAR 2016**

Mayor Higgins introduced the matter.

MOTION was offered by Councilman President Mully to adopt the above resolution. Seconded by Councilwoman Switlyk. There being no further discussion a voice vote was called. Motion carried.

Roll Call:	Councilwoman Switlyk	Yes
	Councilman McTiernan	Yes
	Council President Mully	Yes
	Mayor Higgins	Yes

**WHEREAS**, the Mayor and Council of the Township of Clinton desire to engage certain professionals for the year 2016; and

**WHEREAS**, those professionals consist of the following:

Township Attorney	Kristina P. Hadinger, Esq. and Trishka Cecil, Esq., Mason, Griffin & Pierson, PC
Township Engineer	Cathleen Marcelli, CME, PE Hatch, Mott MacDonald
Township Auditor	Robert Swisher, Suplee Clooney
Township Planners	Michael Sullivan, Clarke Caton Hintz Joe Burgis, Burgis Associates
Special Tax Counsel	Fred Semrau, Esq., Dorsey & Semrau
Bond Counsel	Anthony Pannella, Wilentz Goldman & Spitzer
Labor Counsel	Steve Trimboli, Knapp, Trimboli & Prusinowski, LLC

**WHEREAS**, the Mayor and Council have reviewed the qualifications of the above mentioned professionals and find them to be qualified to act on behalf of the Township; and

**WHEREAS**, all fees are delineated in the contract documents, and the Township Administrator has determined and certified in writing that the value of each of the acquisitions may exceed \$17,500; and

**WHEREAS**, the anticipated term of these contracts is one year; and

**WHEREAS**, the above mentioned professionals have completed and submitted a Campaign Contributions Affidavit as required by N.J.S.A.19A:44A-20.2 *et seq.* verifying they have not made any reportable contributions to a candidate or municipal committee representing the elected officials in the Township of Clinton in the previous one year, and that the contract will prohibit the aforementioned from making any reportable contributions through the term of the contract; and

**WHEREAS**, all of the aforementioned Professional Services Agreements are contingent upon Township Attorney Review; and

**WHEREAS**, the Business Disclosure Entity Certification and the Determination of Value shall be filed with this resolution of award;

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.* authorizes the award of the aforesaid contracts without public bidding as the professional services contracts; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Township of Clinton, County of Hunterdon, State of New Jersey authorizes the execution of contracts as described herein:

1. The Mayor and Township Clerk are hereby authorized to execute the above referenced contracts.
2. A copy of this Resolution, the Certifications of Contract Value, the Campaign Contributions Affidavits, and the executed Agreements shall be placed on file in the office of the Municipal Clerk.
3. Notice of the award of these contracts shall be published in the official Township newspaper as required by law.

**APPOINTMENTS:**

	<u>2015 Member</u>	<u>2016 Member</u>	<u>Appointed to</u>	<u>Term</u>
				<u>Expiration</u>
<b><u>APPOINTMENTS BY MAYOR</u></b>				
<b><u>Finance Committee</u></b>				
	John Higgins	John Higgins	1-year term	12/31/2016
	Amy Switlyk	Chris D'Alleinne		
<b><u>Personnel Committee</u></b>				
	John Higgins	John Higgins	1-year term	12/31/2016
	Marvin Joss	Marvin Joss		
<b><u>Board of Adjustment</u></b>				
Seat 3	Dave Roberts	Dave Roberts	4-year term	12/31/2019
Seat 4	Wayne Filus	Wayne Filus	4-year term	12/31/2019
Alt 2	Arne Olsen	Arne Olsen	2-year term	12/31/2017

**Environmental Commission**

Seat 3	Ron Zak	Ron Zak	3-year term	12/31/2018
Seat 4	Laurie Gneiding	Laurie Gneiding	3-year term	12/31/2018
Seat 5	Cecilia Gervais	Douglas Picota	3-year term	12/31/2018

**Board of Health**

Seat 2	Marie Taluba	Marie Taluba	4-year term	12/31/2019
Seat 1	John Williamson	Steve Lyte	4 unexpired. term	12/31/2016

**Historic Preservation Commission**

Seat 1	Steve Bayly	Steve Bayly	4-year term	12/31/2019
Alt. 1	Ted Bozzi	Ted Bozzi	2-year unexp. term	12/31/2017

**Planning Board**

Seat 2 – Class II	Richard Scheick	Richard Scheick	1-year term	12/31/2016
Seat 5 – Class IV	Kevin Cimei	Kevin Cimei	3-year term	12/31/2018
Seat 7 – Class IV	Chris D’Alleinne	Sandra Butcher	3-year term	12/31/2016
Alt. 2		David Pfeffer	2-year term	12/31/2017

**APPOINTMENTS BY TOWN COUNCIL**

Planning Board

Seat 3 – TC –	Brian Mullay	Dan McTiernan	1-year term	12/31/2016
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MOTION was made by Councilman President Mullay to approve the appointment of Councilman McTiernan to the Planning Board. Seconded by Councilwoman Switlyk. There being no further discussion a voice vote was called. Motion carried.

Roll Call:	Councilwoman Switlyk	Yes
	Councilman McTiernan	Yes
	Council President Mullay	Yes
	Mayor Higgins	Yes

**APPOINTMENTS OF MAYOR WITH ADVICE AND CONSENT OF THE TOWNSHIP COUNCIL:**

Open Space Advisory Committee

Citizen 1	Cathy Sipe	Cathy Sipe	2-year term	12/31/2017
Citizen 2	John Sladicka	John Sladicka	2-year term	12/31/2017

Recreation Committee

Seat 2	Amanda Parker	Amanda Parker	3-year term	12/31/2018
Seat 3	JP Marinelli	Tracy Bardecker	3-year term	12/31/2018

MOTION was made by Councilman McTiernan to approve the above appointments of Open Space Advisory Committee and Recreation Committee. Seconded by Council President Mullay. There being no further discussion a voice vote was called. Motion carried.

Roll Call:	Councilwoman Switlyk	Yes
	Councilman McTiernan	Yes
	Council President Mullay	Yes
	Mayor Higgins	Yes

**Personnel**

**Appointments**

Zoning Officer	Joe Rossi	Tom Silvia	1-year term	12/31/2016
Health Benefits Coordinator	Marie Pardo	Marie Pardo	1-year term	12/31/2016
Recycling Coordinators	Tom Silvia	Tom Silvia	1-year term	12/31/2016
	Jay Meixsell	Jay Meixsell		
Public Agency Compliance Officer	Marvin Joss	Marvin Joss	1-year term	12/31/2016
Public Defender	Scott C. Mitzner	Scott C. Mitzner	1-year term	12/31/2016
Municipal Prosecutor	Robert Ballard	Robert Ballard	1-year term	12/31/2016

**Board/Commission**

**Liaisons**

Board of Education North	Amy Switlyk	Amy Switlyk	1-year term	12/31/2016
Hunterdon/Voorhees Environmental Commission	Jim Imbriaco	Amy Switlyk	1-year term	12/31/2016
Historic Preservation Commission	Jim Imbriaco	Chris D'Alleinne	1-year term	12/31/2016
Open Space Advisory Committee	Brian Mullay	Brian Mullay	1-year term	12/31/2016
Recreation Committee	John Higgins	John Higgins	1-year term	12/31/2016
Board of Health	Peter Marra	Dan McTiernan	1-year term	12/31/2016
	Jim Imbriaco	Chris D'Alleinne	1-year term	12/31/2016
Sewer Authority	Brian Mullay	Brian Mullay	1-year term	12/31/2016
Solid Waste Advisory	Peter Marra	Chris D'Alleinne	1-year term	12/31/2016
Cable Advisory		Dan McTiernan	1-year term	12/31/2016

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

Roll Call:	Councilwoman Switlyk	Yes
	Councilman McTiernan	Yes
	Council President Mulla	Yes
	Mayor Higgins	Yes

**CONSENT:**

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

MOTION was offered by Council President Mulla to approve the consent agenda. Seconded by Mayor Higgins. There being no further discussion a roll was called. All ayes. Motion carried.

Roll Call:	Councilwoman Switlyk	Yes
	Councilman McTiernan	Yes
	Council President Mulla	Yes
	Mayor Higgins	Yes

Consent #1

RESOLUTION #03-16 – MEETING SCHEDULE FOR 2016

**BE IT RESOLVED**, by the Township Council of the Township of Clinton that the following is established as a schedule of regular public and work meetings of the Township Council to be held during 2016;

**BE IT FURTHER RESOLVED**, the meetings shall commence at 7:00 P.M. and the location shall be the Public Safety Building, 1370 Route 31 North, Annandale, NJ 08801 except as otherwise noted.

In accordance with the dictate of the Open Public Meetings Act, a copy of this resolution shall immediately:

- Be posted on the bulletin Board at the Municipal Building and shall remain posted for the year 2016.
- The following newspapers will be noticed: The Hunterdon County Democrat, the Courier News, the Newark Star Ledger, the Express Times, the Hunterdon Review and the Hunterdon County News.
- Filed with the Township Clerk.
- Mailed to those persons who have requested and paid the charges for copies of the schedule and revisions thereto and shall be promptly mailed to those persons who hereinafter make such request and prepay such charge.

**JANUARY**

6 Reorganization  
27 Regular

**MARCH**

9 Regular  
23 Regular

**MAY**

11 Regular  
25 Regular

**JULY**

13 Regular

**SEPTEMBER**

14 Regular  
28 Regular

**NOVEMBER**

9 Regular

**FEBRUARY**

10 Regular  
24 Regular

**APRIL**

13 Regular  
27 Regular

**JUNE**

8 Regular  
22 Regular

**AUGUST**

10 Regular

**OCTOBER**

12 Regular  
26 Regular

**DECEMBER**

14 Regular

The Reorganization Meeting for 2017 will take place Wednesday, January 4, at 7:00 p.m., in the Council Chambers located on the 3<sup>rd</sup> Floor of the Public Safety Building, 1370 Route 31 North, Annandale, NJ 08801.

Consent #2

**RESOLUTION #04-16 – SETTING THE REORGANIZATION MEETING FOR 2017, FEES FOR MEETING NOTICES AND DESIGNATING THE OFFICIAL NEWSPAPERS**

**BE IT RESOLVED**, that the Reorganization meeting of the Township of Clinton for the year 2017 shall be held at the Clinton Township Municipal Building, 1370 Route 31 North, Annandale, NJ, 08801 on January 4, 2017 at 7:00 p.m.; and

**BE IT RESOLVED**, Sec. 14 of the Open Public Meetings Act, Chapter 231 P.L. 1975 permits the public body to fix a reasonable sum to be charged to persons who request that notice of meeting as required under the Act be mailed to them individually; and said sum is to cover the costs of providing such notices and said section further permits the public body to provide such notices free of charge to news media who so request.

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

Each person requesting an individual notice be mailed to him shall pay according to State Statute for copies of such notices, as required under the act.

1. Requests for such individual notice made by news media shall be granted without cost.
2. The sum herein designated is subject to change upon the adoption of superseding resolution by this public body; and

**BE IT RESOLVED**, Sec. 3d of the Open Public Meetings Act requires that said notice of meetings be submitted to two (2) newspapers, one (1) of which shall be the official newspaper; and, the Township Council of the Township of Clinton has determined that the Hunterdon Review, Courier News, the Newark Star Ledger, the Express Times, and the Hunterdon County Democrat have the greatest likelihood of informing the public within the jurisdictional boundaries of Clinton Township of such meetings:

**BE IT FURTHER RESOLVED**, that notices will be sent to all five (5) newspapers:

**BE IT FURTHER RESOLVED**, by the Township Council of the Township of Clinton that the Hunterdon County Democrat is hereby designated as the official weekly newspaper of this body during 2017, as required by Sec. 13 and 3d(2) of the Open Public Meetings Act.

Consent #3

**RESOLUTION #05-16– AUTHORIZING THE CHIEF FINANCE OFFICER TO  
MAKE INVESTMENTS**

**BE IT RESOLVED**, by the Township Council of the Township of Clinton that the Chief Financial Officer is hereby authorized to negotiate the purchase and sale of U.S. Government obligations, invest in time open accounts, certificates of deposit, or other investments as defined by the Township’s cash management plan, whichever is the most favorable to achieve the best program for the investment of surplus municipal funds.

**BE IT FURTHER RESOLVED**, that the Chief Financial Officer shall report all such transactions at the following regular meeting of the Township Council as provided by Statute.

Consent #4

**RESOLUTION #06-16 – SETTING THE DELINQUENT TAX INTEREST RATE AND  
CANCELING TAXES UNDER \$10.00**

**WHEREAS**, N.J. Revised Statutes 54:4-67 implies that affirmative action is required on the part of the governing body in fixing the rate of interest on delinquent taxes.

**THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Clinton, that the interest rate on delinquent taxes shall be 8% per annum of the first \$1,500 and 18% per annum on any amount in excess of \$1,500 for the year 2016 and no interest shall be

charged if payment of any installment is made within the 10th calendar day following the day upon which same became payable.

**BE IT FURTHER RESOLVED**, in accordance with N.J.S.A. 54:4-67 the governing body may also fix a penalty to be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay that delinquency prior to the end of the calendar year and that such penalty shall not exceed 6% of the amount of the delinquency.

**BE IT FURTHER RESOLVED**, in any case where the taxes are not paid during the respective extended periods, the full interest rate from the due date shall apply; and

**BE IT RESOLVED**, P.L. 1979, Chapter 82, as amended by PL 1996, Chapter 113 (C.40A:9-154.1) allows the governing body of a municipality to authorize the Township Tax Collector to process the refund and/or cancel property taxes less than \$10.00 without further action of the governing body.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Clinton, County of Hunterdon, State of New Jersey, that the Township of Clinton Tax Collector is hereby authorized to process refunds and delinquencies as permitted by P.L. 1979, Chapter 82, as amended by PL 1996, Chapter 113 (C.40A:9-154.1)

Consent #5

**RESOLUTION #07-16 – DESIGNATE OFFICIAL DEPOSITORIES**

**WHEREAS**, N.J.S.A. 40A:55-14 mandates that the governing body of a municipal Corporation shall, by resolution passed by a majority vote of the full membership thereof, designate as a depository of its monies a bank or trust company having its place of business in the state and organized under the laws of the United States or this state;

**NOW, THEREFORE, BE IT RESOLVED**, on the 6th day of January 2016, by the Township Council of the Township of Clinton, County of Hunterdon, State of New Jersey, that;

- |                                 |                |
|---------------------------------|----------------|
| New Jersey Cash Management Fund | PNC Bank       |
| Bank of America                 | Unity Bank     |
| Peapack-Gladstone Bank          | MBIA Class     |
| Investors Savings Bank          | New Jersey ARM |
| Yardville National Bank         | TD Bank        |
| Valley National Bank            | Team Capital   |
| Provident Bank                  |                |

All Federally secured Banks in the State of New Jersey be and are hereby designated as depositories for the Township of Clinton for the year 2016.

Prior to the deposit of any municipal funds in the above-mentioned depositories, said bank shall file with the Chief Financial Officer a statement indicating that the bank is covered under the Government Units Deposit Protection Act 9 R.S. (17:9-41).

**BE IT FURTHER RESOLVED**, by the Township Council of the Township of Clinton that the various municipal accounts will be deposited in the Banks listed above and the persons responsible shall be as follows:

<u>Account</u>	<u>Custodian</u>
Current Account	Finance Officer
Escrow Account	Finance Officer
Capital Account	Finance Officer
Unemployment Compensation Account	Finance Officer
Animal Control Account	Finance Officer
Recreation Commission Trust Account	Finance Officer
Neighborhood Preservation Balanced Housing Program	Finance Officer
Payroll Account	Finance Officer
Payroll Agency Account	Finance Officer
Performance Guarantee Account	Finance Officer
Open Space Account	Finance Officer
Assessment Trust Account	Finance Officer
Credit Card Clearing Account	Finance Officer
COAH Account	Finance Officer
Trust Account	Finance Officer
Investment Account P-G	Finance Officer
Grant Account	Finance Officer
Tax Redemption Account	Tax Collector
Court General Accounts	Court Administrator
Court Bail Accounts	Court Administrator

**Consent #6**

**RESOLUTION #08-16 –AUTHORIZING HEALTH BENEFITS COORDINATOR TO PAY HEALTH BENEFITS BILLS AND AUTHORIZING THE PAYMASTER TO PAY EMPLOYEES**

**BE IT RESOLVED** that the Health Benefits Coordinator be authorized to pay the Township employees health benefits bills when the payments become due, whenever payment periods fall between regular Township Council Meetings; and

**BE IT RESOLVED** that the Paymaster be authorized to pay the Township employees when the payroll becomes due, whenever pay periods fall between regular Township Council Meetings

Consent #7

**RESOLUTION #09-16– AUTHORIZING SIGNATURES ON TOWNSHIP CHECKS**

**WHEREAS**, all disbursements shall be by bank check signed by the Mayor and counter signed by the Treasurer.

**NOW, THEREFORE, BE IT RESOLVED**, that in the absence of the Mayor, the Administrator is authorized to sign checks and in the absence of the Chief Financial Officer/Treasurer, the Municipal Clerk is authorized to sign checks on all accounts listed below:

Current Account, Escrow Account, Capital Account, Unemployment Compensation Account, Recreation Commission Trust Account, Neighborhood Preservation Balanced Housing Program, Payroll Account, Payroll Agency Account, Performance Guarantee Account, Open Space Account, Assessment Trust Account, COAH Account, Animal Control, P-G Investment Account, Credit Card Clearing Account, Twp Trust Account and Grant Account.

**BE IT FURTHER RESOLVED**, that signatures noted below are required for the accounts designated:

Tax Redemption Account

Tax Collector  
Township Clerk

Clinton Twp Municipal Court  
General Acct.  
Bail Acct.

Court Administrator

Consent #8

**RESOLUTION #10-16 – AUTHORIZING CHANGE FUNDS – TOWNSHIP CLERK, TAX COLLECTOR, CONSTRUCTION DEPARTMENT, MUNICIPAL COURT AND RECREATION DEPARTMENT**

**WHEREAS**; the Township of Clinton has established a change fund in the amount of \$380.00

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

Township Clerk	Carla Conner, 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 Supervisor	\$30.00

**NOW THEREFORE BE IT RESOLVED**, that a change fund is hereby established in the amount of \$380.00 to be used and maintained in the individual offices of the Tax Collector, Construction Official, Municipal Court and Recreation Department to make change for residents paying their taxes, purchasing copies, etc.

Consent #9

**RESOLUTION #11-16 – PETTY CASH – FINANCE, AND POLICE DEPARTMENT**

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

**BE IT RESOLVED**, that a petty cash fund shall be established and maintained in the Finance Department under the supervision of the Chief Financial Officer Marie Pardo, in the amount of \$250.00. Such petty cash shall be used for purchases not to exceed \$25.00; and

**BE IT RESOLVED**, that a petty cash fund shall be established and maintained in the Police Department under the supervision of Officer in Charge Douglas Higgins, in the amount of \$100.00. Such petty cash shall be used for purchases not to exceed \$25.00.

**NOW THEREFORE BE IT RESOLVED**, that the Governing Body of Clinton Township, County of Hunterdon hereby authorized such action.

Consent #10

**RESOLUTION #12-16 – TO AUTHORIZE THE TAX COLLECTOR TO HOLD A TAX SALE**

**BE IT RESOLVED**, by the Mayor and Council of the Township of Clinton that the Tax Collector is authorized to conduct a tax sale for all prior years' delinquent taxes pursuant to New Jersey Law Chapter 99.

Consent #11

**RESOLUTION #13-16 - TOWNSHIP COUNSEL TO FILE TAX APPEALS**

**WHEREAS**, the Hunterdon County Board of Taxation has been advised by the Attorney General's Office that the Municipal or Tax Attorney should file tax appeals in behalf of the municipality; and

**WHEREAS**, the Hunterdon County Board of Taxation will no longer accept tax appeals from Municipal Tax Assessors as was permitted in the past provided a resolution was adopted.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council that the Township Tax Counsel is authorized to file tax appeals and settlement stipulations on behalf of the Township of Clinton pursuant to this resolution.

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the Hunterdon County Board of Taxation with advice copies to the Township Attorney and the Tax Assessor.

Consent #12

**RESOLUTION #14-16 - AUTHORIZING THE TAX ASSESSOR TO FILE CORRECTIVE APPEALS**

**WHEREAS**, Mr. Jeff Ward serves as Tax Assessor for the Township of Clinton; and

**WHEREAS**, Mr. Ward is authorized to process corrective appeals, sign stipulations to assessment appeals and process farmland rollback petitions on behalf of the Township of Clinton.

**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. Mr. Ward is authorized to perform the tasks outlined above.
2. A copy of this resolution shall be sent to the Hunterdon County Board of Taxation.

**RESOLUTIONS:**

**RESOLUTION #15- 16 – ADOPTING THE TEMPORARY BUDGET**

Mayor Higgins introduced the matter.

MOTION was made by Mayor Higgins to adopt Resolution #15-16. Seconded by Council President Mullay. There being no further discussion the roll was called. Motion carried.

Roll Call:

Councilwoman Switlyk	Yes
Councilman McTiernan	Yes
Council President Mullay	Yes
Mayor Higgins	Yes

**WHEREAS**, N.J.S.A. 40A:4-19 allows for a municipality to adopt a temporary budget within the first 30 days of its budget year when contracts, commitments or payments need to be made prior to the adoption of the regular budget, and;

**WHEREAS**, the total appropriations of the temporary budget shall not exceed 26.25% of the total of the appropriations made for all purposes in the budget for the preceding year, excluding appropriations for interest and debt redemption charges, capital improvements and public assistance, if any.

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Township of Clinton, in the County of Hunterdon, State of New Jersey, that the temporary 2016 Budget, totaling \$3,969,805.61 is hereby adopted, as follows:

<b>Department</b>	<b>Salaries &amp; Wages</b>	<b>Operating Expenses</b>
Mayor and Council	\$ 3,905.74	\$ 13,525.31
Administration	31,000.00	4,396.87
Municipal Clerk	30,000.00	4,396.87
Election		200.00
Financial Administration	38,256.23	5,000.00
Audit Services		29,375.00
Data Processing		21,000.00
Collection of Taxes	28,481.25	4,000.00
Assessment of Taxes	22,501.50	3,500.00
Legal Services		40,000.00
Engineering		20,000.00
Open Space Committee		131.25
Environmental Committee		237.50
Historic Commission		131.25
Planning Board	12,537.66	6,851.25
Zoning Board	4,068.75	500.00
Board of Adjustment		1,837.50
Uniform Construction Code	48,672.62	13,650.00
Other Insurance (JIF)		178,000.00
Group Insurance		300,000.00
Unemployment Compensation		5,000.00
Police Department	692,524.21	28,875.00
Emergency Management		525.00
Division of Fire		20,868.75
Hydrant Rental		28,477.05
Prosecutor's Office		11,130.00
Road Repair & Maintenance	181,567.84	100,000.00
Buildings and Grounds		27,300.00
Fleet Maintenance		24,255.00
Health Department	3,073.88	1,575.00
Recreation	35,306.25	2,625.00
Utilities Street Lighting		3,675.00

Utilities Electricity		17,850.00
Utilities Telephone		17,850.00
Utilities Water		525.00
Utilities Natural Gas		5,643.75
Utilities Sewer		1,134.00
Utilities Gasoline		31,500.00
Social Security		96,466.13
Municipal Court	57,093.75	5,958.75
Public Defender	2,849.70	
Debt Service		1,700,000.00
<b>TOTALS</b>	<b>\$ \$1,191,839.38</b>	<b>\$ 2,777,966.23</b>

**RESOLUTION #16-16 – TRANSFER OF FUNDS**

Mayor Higgins introduced the matter.

MOTION was made by Councilman McTiernan to adopt Resolution #16-16. Seconded by Councilwoman Switlyk. There being no further discussion the roll was called. Motion carried.

Roll Call:	Councilwoman Switlyk	Yes
	Councilman McTiernan	Yes
	Council President Mullay	Yes
	Mayor Higgins	Yes

**WHEREAS**, N.J.S.A. 40A:4-59 permits transfer of funds between prior year budget appropriations during the first three months of any succeeding year when it is deemed necessary to fulfill prior year obligations, and;

**WHEREAS**; there are certain budget year 2015 appropriations that require transfer of funds to meet the charges and obligations incurred within 2015;

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Township of Clinton, in the County of Hunterdon, State of New Jersey, that the transfer below is hereby authorized by a 2/3 vote of the full Governing Body;

TO:		
Planning	OE	\$ 4,000.00
Buildings and Grounds	OE	\$ 5,000.00
Department of Public Works	OE	\$50,000.00
Legal	OE	\$15,000.00
Engineering	OE	\$10,000.00

FROM:		
Construction Official	OE	\$ 5,000.00
Group Health Insurance	OE	\$35,000.00
Planning	SW	\$ 6,000.00
Department of Public Works	SW	\$ 5,000.00
Gasoline	OE	\$20,000.00
Electricity	OE	\$ 9,000.00
Zoning	SW	\$ 4,000.00
TOTALS		\$84,000.00

**RESOLUTION #17-16 – APPROVAL TO REFUND BALANCE OF INACTIVE ESCROW ACCOUNTS**

Mayor Higgins introduced the matter.

MOTION was made by Councilwoman Switlyk to adopt Resolution #17-16. Seconded by Councilman McTiernan. There being no further discussion the roll was called. Motion carried.

Roll Call:	Councilwoman Switlyk	Yes
	Councilman McTiernan	Yes
	Council President Mullay	Yes
	Mayor Higgins	Yes

**WHEREAS**, The Chief Financial Officer has performed a full review of certain escrow accounts have been inactive for the last 13 years,

**AND WHEREAS**, those inactive escrow accounts projects have been completed, and reviewed by the Township Engineer and Planning Board Attorney.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Township of Clinton, County of Hunterdon, State of New Jersey, hereby authorize the Chief Financial Officer to refund those inactive escrow account balances to its property owners as listed on the attached document.

**RESOLUTION #18-16 – APPROVAL TO CLOSE BALANCE OF INACTIVE ESCROW ACCOUNTS TO FUND BALANCE**

Mayor Higgins introduced the matter.

MOTION was made by Mayor Higgins to adopt Resolution #18-16. Seconded by Council President Mullay. There being no further discussion the roll was called. Motion carried.

Roll Call:	Councilwoman Switlyk	Yes
	Councilman McTiernan	Yes
	Council President Mullay	Yes
	Mayor Higgins	Yes

**WHEREAS**, The Chief Financial Officer has performed a full review of certain escrow accounts that have been inactive for the last 13 years,

**AND WHEREAS**, those escrow account holders either no longer reside in the Township of Clinton and cannot be located, or no longer exist as an entity.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Township of Clinton, County of Hunterdon, State of New Jersey, that the Chief Financial Officer is hereby authorized to close those inactive escrow account balances to fund balance from the attached list.

RESOLUTION #19-16 – ADOPTION OF RESOLUTION OF NEED AUTHORIZING AFFORDABLE HOUSING AGREEMENT FOR BEAVER BROOK HOMESTEAD SITE

Mayor Higgins introduced the matter. Attorney Hadinger explained the Resolution.

MOTION was made by Council President Mullay to adopt Resolution #19-16. Seconded by Councilwoman Switlyk. There being no further discussion the roll was called. Motion carried.

Roll Call:	Councilwoman Switlyk	Yes
	Councilman McTiernan	Yes
	Council President Mullay	Yes
	Mayor Higgins	Yes

**WHEREAS**, Ingerman Development Company, LLC and its assigns (hereinafter referred to as the “Sponsor”) proposes to construct and operate a 66-unit affordable family apartment community to be known as Beaver Brook Village (hereinafter referred to as the “Project”) pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1 et seq., and all applicable guidelines (the foregoing hereinafter referred to as the “HMFA Requirements”) within the Township of Clinton (hereinafter referred to as the “Municipality”) on a site described as Block 60.03, Lot 26 as shown on the Official Assessment Map of the Township of Clinton, Hunterdon County, New Jersey; and

**WHEREAS**, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the “Agency”); and

**WHEREAS**, pursuant to the HMFA Requirements, the governing body of the Municipality hereby determines that there is a need for this housing project in the Municipality; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of Clinton (the “Council”) that:

- (1) The Council finds and determines that the proposed Project will meet or meets an existing housing need;
- (2) The Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in the conformity with the provisions of the HMFA Requirements with the intent and purpose that the Agency shall rely thereon in making a mortgage loan to the Sponsor, which shall construct, own and operate the Project; and
- (3) The Council hereby authorizes and directs the Mayor of the Township of Clinton to execute, on behalf of the municipality, the Affordable Housing Agreement in substantially the form annexed hereto as Exhibit “A.”

**RESOLUTION #20-16 – APPOINTING PATRICK RINALDI AS FIRE OFFICIAL**

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

MOTION was made by Mayor Higgins to adopt Resolution #20-16. Seconded by Councilman McTiernan. There being no further discussion the roll was called. Motion carried.

Roll Call:	Councilwoman Switlyk	Yes
	Councilman McTiernan	Yes
	Council President Mullay	Yes
	Mayor Higgins	Yes

**WHEREAS**, an opening for the position of Fire Official exists within the Township, and;

**WHEREAS**, the Township Administrator has advertised for the position and interviewed several candidates, and;

**WHEREAS**, it is the opinion of the Administrator that Patrick Renaldi has the experience and expertise to successfully carry out the duties of Fire Official and pursuant to N.J.A.C 5:71-4.3 is certified to perform said function, and does hereby recommend that Mr. Renaldi be hired by the Township as Fire Official.

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Township of Clinton, County of Hunterdon, State of New Jersey, that Patrick Renaldi is hereby appointed Fire Official effective January 7, 2016, and;

**BE IT FURTHER RESOLVED**, that he shall be paid on a per inspection basis, at a rate \$27.50 per residential smoke detector and fire extinguisher certification.

**ACTION:**

**INTRODUCTION OF ORDINANCE:**

1080-16 - AN ORDINANCE OF THE TOWNSHIP OF CLINTON IN HUNTERDON COUNTY, NEW JERSEY ADOPTING, PURSUANT TO N.J.S.A. 40A:12A-7, A REDEVELOPMENT PLAN FOR THE BEAVER BROOK HOMESTEAD, BLOCK 60.03, LOT 26 ON THE CLINTON TOWNSHIP TAX MAPS

Mayor Higgins introduced the matter. COAH Planner, Joe Burgis explained the redevelopment plan.

MOTION was made by Council President Mullay to introduce the ordinance. Seconded by Mayor Higgins. There being no further discussion the roll was called. Motion carried.

Roll Call:

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

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

**Section 1. Findings.** The Mayor and Council of the Township of Clinton make the following findings:

a. By Resolution No. 106-15 adopted October 14, 2015, the Mayor and Council directed the Clinton Township Planning Board (the "Planning Board") to conduct an investigation into whether the property located on the northeast corner of Beaver Avenue and Austin Hill Road, known as the Beaver Brook Homestead, and designated on the Township Tax Maps as Block 60.03, Lot 26 (the "Study Area") qualified as a non-condemnation area in need of redevelopment under the Local Redevelopment and Housing Law ("LRHL"), N.J.S.A. 40A:12A-5 et seq.

b. The Planning Board completed its investigation of the Study Area, received and reviewed the report of Joseph Burgis, PP, AICP entitled "Area in Need of Redevelopment Study, Beaver

Brook Homestead, Block 60.03, Lot 26, Clinton Township, Hunterdon County, New Jersey” (“Area in Need Study”) and, following a public hearing, adopted a resolution on November 16, 2015 recommending that the Study Area be designated by the Mayor and Council as a Non-Condensation Redevelopment Area as provided for under the LRHL.

c. On December 9, 2015, the Mayor and Council accepted the Planning Board’s findings and the Area in Need Study and adopted Resolution No. 131-15, A Resolution of the Mayor & Council of the Township of Clinton Determining that the Property Identified as Block 6.03, Lot 26 (the “Beaver Brook Homestead Site”) in the Township of Clinton be Designated as a Non-Condensation Redevelopment Area in Accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., and directed the Planning Board to prepare a redevelopment plan for the Study Area.

d. Working with its expert, Joseph Burgis, PP, AICP, the Planning Board prepared a redevelopment plan for the Study Area entitled “Beaver Brook Homestead Non-Condensation Redevelopment Plan” (the “Redevelopment Plan”).

e. On December 21, 2015, the Planning Board adopted a resolution approving the Redevelopment Plan, recommending the Redevelopment Plan for Block 60.03, Lot 26 as substantially consistent with the Township’s Housing Element, Fair-Share Plan and recommending adoption of the Redevelopment Plan by the Township, and referring the same to the Mayor and Council.

f. The Mayor and Council have reviewed the Redevelopment Plan, and hereby determine that it has been designed to effectuate the Township’s Master Plan and should be adopted.

g. In the interests of ensuring that the architectural elements of the Redevelopment Plan are achieved, a subcommittee should be established to work with the redeveloper on the architectural elements of any redevelopment project designed to effectuate the Redevelopment Plan, utilizing the Township’s Community Design Guidelines as guidelines for the architectural elements of the Redevelopment Plan.

**Section 2. Adoption of Redevelopment Plan.** The plan entitled “Beaver Brook Homestead Non-Condensation Redevelopment Plan” for Block 60.03, Lot 26, Clinton Township, Hunterdon County, New Jersey, dated December 16, 2015, revised December 21, 2015 and prepared by Joseph Burgis, PP, AICP, is hereby adopted as the redevelopment plan for the Study Area pursuant to N.J.S.A. 40A:12A-7.

**Section 3. Establishment of Subcommittee For Architectural Features.** The Mayor shall appoint up to two members of the Council and up to two members of the Planning Board to serve as the Beaver Brook Homestead Redevelopment Architectural Features Subcommittee. The initial term of each member shall expire December 31, 2016; and, thereafter, the terms shall be for one calendar year. The subcommittee shall work with the redeveloper of any redevelopment project proposed to satisfy the Redevelopment Plan to ensure that the architectural features of the project are designed to achieve the architectural design standards of the Redevelopment Plan, using the Township’s Community Design Guidelines as guidelines for the architectural elements of the

Redevelopment Plan. After the redevelopment project has been fully completed the subcommittee shall disband.

**Section 4. Repealer.** All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

**Section 5. 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 6. Effective Date.** This ordinance shall take effect upon passage, publication and in accordance with N.J.S.A. 40:69A-181.

**REPORTS:**

Mayor Higgins stated that the current owner of 10 Concord Road will be filing plans with the Building Department on Friday, January 8. Mayor Higgins stated Pedowitz, who is operating at the Kullman site has agreed to have the trucks turn right when exiting their property on Main Street in Lebanon and enter Rt. 22 west further down Main Street. Mayor Higgins stated the Township Engineer, Cathy Marcelli will begin a traffic study for the intersection of Rt. 22 and Blossom Hill Road.

Administrator Joss stated the Township is looking to update the technology in the Township and residents will be able to pay for most fees online.

**VOUCHERS:**

MOTION was made by Councilman McTiernan to adopt the vouchers dated December 31, 2015, in the amount of \$2,927,337.36. Seconded by Council President Mullay. There being no further discussion the roll was called. Motion carried.

Roll Call:

Councilwoman Switlyk	Yes
Councilman McTiernan	Yes
Council President Mullay	Yes
Mayor Higgins	Yes

**PUBLIC COMMENT:**

There were no public comments.

**EXECUTIVE SESSION:**

Resolution #21-16

MOTION was made by Mayor Higgins to go into executive session. Seconded by Council President Mullaney. 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 Mayor and Council is of the opinion that circumstances exist, and

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

1. The Mayor and 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:
  - The status of the Township's pending declaratory judgment action concerning affordable housing pending before the Superior Court Hunterdon County.
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 discussed concerning litigation may be announced upon the conclusion of any trial or settlement of the litigation.

**RETURN FROM EXECUTIVE SESSION:**

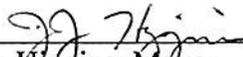
MOTION was made by Mayor Higgins to return from executive session. Seconded by Councilwoman Switlyk. There being no further discussion a voice vote was called. All ayes. Motion carried.

**MOTION TO ADJOURN:**

MOTION was offered by Councilman McTiernan to adjourn at 8:23p.m. Seconded by Council President Mullay. There being no further discussion a voice vote was called. All ayes. Motion carried.

ATTEST:

  
\_\_\_\_\_  
Carla Conner, Township Clerk

  
\_\_\_\_\_  
John Higgins, Mayor

Adopted: March 9, 2016