

TOWNSHIP OF CLINTON
REGULAR COUNCIL MEETING
May 11, 2016

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CALL TO ORDER:

Mayor Higgins called the meeting to order at 7:00 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 McTiernan	Present
Councilman D'Alleinne	Absent
Council President Mullay	Present
Mayor Higgins	Present
Kristina Hadinger, Esq.	Present
Marvin Joss, Administrator	Present
Carla Conner, Township Clerk	Absent

CONSENT:

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

MOTION was made by Council President Mullay to approve the consent agenda. Seconded by Councilwoman Switlyk. 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

Consent #1

Resolution #47-16 – Supporting the Click it or Ticket Mobilization of Mary 23-June 5, 2016

Whereas, there were 560 motor vehicle fatalities in New Jersey in 2015; and

Whereas, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

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Whereas, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

Whereas, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

Whereas, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 23 – June 5, 2016 in an effort to raise awareness and increase seat belt usage through a combination of high visibility enforcement and public education; and

Whereas, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 91% to 93%; and

Whereas, a further increase in seat belt usage in New Jersey will save lives on our roadways;

Therefore, be it resolved that the Township of Clinton declares its support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 23 – June 5, 2016 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

Consent #2

Resolution #48-16 – Change Order No. 2 – Uptom Pine Road, Highfields Road, Hemlock Road, Spruce Road and Redwood Drive

WHEREAS, during construction of the above mentioned project, changes were required for deteriorating and failing storm inlets along Rossi Drive, Hemlock Road and Redwood Drive, subsurface conditions observed were consistent with karst conditions on Spruce Road, an underdrain was required due to modification of the driveway at 6 Highfields Road from gravel to concrete and 2 ½” clean stone would be required for the swale on Highfields Road in lieu of the specified 1 ½” clean stone; and

WHEREAS, this change reflects an increase of \$9,071.96 for the original contract no. 2-15; and

WHEREAS, the original contract amount was \$907,116.40 and after being revised by two change orders, the final amount will not exceed \$924,920.01.

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 \$9,071.96 is approved.

PUBLIC COMMENTS:

Lana Brennan from Lebanon stated the agenda was not posted online. Ms. Brennan questioned why the minutes are not posted on the website. Administrator explained there is a process for the minutes to be approved. Ms. Brennan stated at the April 27 meeting she asked if the Township contacted the

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School Board in March regarding the late payment. Ms. Brennan stated the Council stated yes. Ms. Brennan stated she filled out an OPRA request and, in the reply to this request there was no email listed from the Township to the School Board. Administrator Joss stated the CFO had a verbal conversation with the school administrator in March and there was no email. Ms. Brennan questioned if the school budget is approved differently than the municipal budget how does that affect the payment to the School Board. Administrator Joss explained the difference between the two budgets. Ms. Brennan questioned when the School Board cuts its budget where does the money go to. Mayor Higgins stated Ms. Brennan would have to ask the School Board.

REPORTS:

Councilman McTiernan:

Councilman McTiernan reported that Tom Silvia, the Recreation Committee Director should be commended for the hard work he put into Community Day. Councilman McTiernan reported the Cable Committee will meet on May 18.

Councilman Switlyk:

Councilwoman Switlyk reported that the new Superintendent of the Clinton Township school district is Gina Villain. She also noted that the School Board and the CTEA have come to an agreement. Councilwoman Switlyk reported that a draft of the new school district webpage was presented. Councilwoman Switlyk reported she attended the May 9 Clinton Township School Board meeting where the attorney for the School Board announced the schools were paid by the Township. Councilwoman Switlyk reported the County Superintendent sent a letter to the Township reminding it of the school payment statute. Councilwoman Switlyk reported Jeffrey Bender was chosen as the new Superintendent for the NHHS/Voorhees Regional High School.

Mayor Higgins

Mayor Higgins reported he spent the last two days in Trenton on an appeal from the CADB to the SADC regarding Valley Crest Farm. Mayor Higgins reported the traffic data has been collected regarding the Blossom Hill Road/RT 22 intersection and the Township is waiting for a report from the Township Engineer.

Council President Mullay:

Council President Mullay reported that the Historic Commission met and is working on identifying some historic homes in the Township. It is also working with the County to obtain signs designating homes that are pre 1800's and to get homeowner approval to erect the signs.

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Administrator Joss:

Administrator Joss reported the three historic road signs are almost complete. Administrator Joss reported two signs are for Annandale Village and one for the Spring House. Administrator Joss reported the DOT will be repaving Rt. 31 from Grayrock Road down to Rt. 78 in the future (probably 3 or more years out). Administrator Joss reported the Township Engineer is working on getting prices for rebuilding Gleneagles Road and Muirfield Lane instead of using the paving co-op.

RESOLUTIONS:

Action Item #1

Resolution #49-16 – Authorizing Participation in the Vicinage XIII Municipal Shared Services Defense Agreement (Somerset, Hunterdon & Warren County) – Clinton Township, Hunterdon County

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

MOTION was offered by Council President Mullay to approve the resolution. Seconded by Councilman McTiernan. 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

WHEREAS, the Township of Clinton filed a declaratory judgment action on July 2, 2015 captioned *In re Township of Clinton, Hunterdon County*, Docket No.: HNT-L-315-15, pursuant to the process set forth in the New Jersey Supreme Court’s March 10, 2015 decision in *In re Adoption of N.J.A.C. 5:96 & 5:97 by the New Jersey Council of Affordable Housing*, 221 N.J. 1 (2015); and

WHEREAS, the court has consolidated all of the declaratory judgment actions filed by municipalities in Somerset, Hunterdon and Warren County in order to conduct one trial to establish a vicinage-wide methodology for the calculation of state, regional and municipal affordable housing obligations; and

WHEREAS, the Township now wishes to join the Vicinage XIII Municipal Group comprised of municipalities in Somerset, Hunterdon and Warren County for the purpose of collective cooperation in the strategy and development of municipal affordable housing obligations, discovery, motions, briefs and trial practice that may be used in the planning process and in litigation.

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

1. The preamble to this Resolution is hereby incorporated as if more fully set forth herein.
2. The Mayor & Council finds that it is in the public interest and hereby authorizes the Township to enter into a Municipal Shared Services Defense Agreement, a copy of which is on file in the Township Clerk's Office, or such other substantially similar agreement as reviewed and approved by the Township Attorney, that permits the Township to work cooperatively with other municipalities in Somerset, Hunterdon and Warren County in the strategy and development of municipal affordable housing obligations, discovery, motions, briefs and trial practice that may be used in the planning process and in litigation.
3. The Mayor, Township Administrator, Township Clerk, Township Attorney, and other appropriate officers, employees and professionals, are hereby authorized and directed to prepare and execute any and all documents, and undertake any and all acts necessary to effectuate the above-referenced Defense Agreement

VOUCHERS:

Mayor Higgins introduced the matter.

MOTION was offered by Councilwoman Switlyk to approve the check control registers dated May 11, 2016 totaling \$5,668,952.28. Seconded by Councilman McTiernan. There being no further discussion the roll was called. Motion carried.

Roll Call:

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

PUBLIC COMMENT:

Faith Fuhman from Annandale stated the agenda was not posted on the website and there is a lag between when the meetings and when the minutes are posted. Administrator Joss stated due to a glitch in the system the agenda was not posted. Administrator Joss stated residents can listen to the audio which is up on the website before the minutes are approved.

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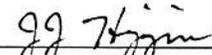
MOTION TO ADJOURN:

MOTION was offered by Councilwoman Switlyk to adjourn at 7:35p.m. Seconded by Councilman McTiernan. There being no further discussion a voice vote was called. All ayes. Motion carried.

ATTEST:



Carla Conner, Township Clerk



John Higgins, Mayor

Adopted: July 13, 2016