

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
November 13, 2013

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**CALL TO ORDER:**

Mayor Cimei called the meeting to order at 7:30 PM.

**OPEN PUBLIC MEETINGS ACT STATEMENT:** Mayor Cimei 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:**

Councilman Vos	Present
Councilman Imbriaco	Present
Councilman Lazarus	Present (arr. 7:45)
Council President Marra	Absent
Mayor Cimei	Present
Kristina P. Hadinger, Esq.	Present
Marvin Joss, Administrator	Present
OIC, Lt. Douglas Higgins	Present
Donna Burham, Township Clerk	Present

**APPROVAL OF MINUTES:**

MOTION was made by Councilman Imbriaco to approve the regular meeting minutes of October 9, 2013, and the executive session minutes for October 9, 2013, and the regular meeting minutes of October 23, 2013. Seconded by Councilman Vos. There being no further discussion the roll was called. Motion carried.

Roll Call:	Councilman Vos	Yes
	Councilman Imbriaco	Yes
	Councilman Lazarus	Yes
	Mayor Cimei	Yes

**CONSENT:**

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

MOTION was offered by Councilman Imbriaco to approve the consent agenda. Seconded by Councilman Lazarus. There being no further discussion the roll was called. Motion carried.

Roll Call:	Councilman Vos	Yes
	Councilman Imbriaco	Yes
	Mayor Cimei	Yes

Consent Item #1

Resolution #99-13 – Release of Escrows

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**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
\$2,000.00	82.18/49.27	43 Country Club Dr.	Brian Dreher	Perf.Guarantee
\$2,000.00	3/9.20	2 Peachtree Lane	J&C Del Nero	Perf.Guarantee

Consent Item #2

Resolution #100-13 – Chapter 159 – Accepting funds into the budget for the Click It or Ticket 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 2013 in the sum of \$4,000.00, which is now available from the State of New Jersey Department of Highway Traffic Safety.

**BE IT FURTHER RESOLVED**, that the like sum of \$4,000.00 is hereby appropriated under the caption, Click it or Ticket; and

**BE IT FURTHER RESOLVED** that the above is the result of funds from New Jersey Division of Highway Traffic Safety.

**PUBLIC COMMENTS:**

There were no public comments.

**NEW BUSINESS:**

1. Conclusion of Police Director's Term and OIC Appointment

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Mayor Cimei introduced the matter, and stated the Director has brought a level of professionalism to the Department, negotiated a contract with the DEA which has brought in funding and achieved accreditation for the department. The Mayor also indicated the Township will not hire a new Director for the time being, but will consider organizational models.

MOTION was made by Councilman Imbriaco to reappoint Lt. Douglas Higgins as Officer in Charge. Seconded by Councilman Lazarus. There being no further discussion the roll was called. Motion carried.

Roll Call:	Councilman Vos	Yes
	Councilman Imbriaco	Yes
	Councilman Lazarus	Yes
	Mayor Cimei	Yes

**OLD BUSINESS:**

Councilman Vos mentioned using a chip seal program for road repair citing the program used by Franklin Township. Mr. Joss indicated the issue is funding, and the Township has expended the funds for this year paving other roads through the Morris County Co-op.

**REPORTS:**

Councilman Vos:

Councilman Vos reported the schools have experienced issues with the busing schedule and more routes are being implemented December 1.

Councilman Imbriaco:

Councilman Imbriaco reported the Open Space question on the ballot was approved by a very wide margin, and therefore, there will be funds available to maintain open space properties.

Councilman Lazarus:

No Report

Mayor Cimei:

Administrator:

Mr. Joss indicated the Township will be auctioning a 1981 fire pumper on December 5, 2013.

OIC Higgins:

No report.

**ACTION:**

**ORDINANCE ADOPTION/PUBLIC HEARING:**

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Ordinance #1052-13 Bond Ordinance

Bond Ordinance providing for various Capital Improvements by the Township of Clinton, New Jersey, appropriating the aggregate amount of \$1,384,000 therefor and authorizing the issuance of \$1,384,000 therefor and authorizing the issuance of \$1,314,000 Bonds or Notes of the Township to finance part of the cost thereof.

Mayor Cimei introduced the matter. Mr. Joss discussed the Township's debt ratio and explained the bond ordinance and the need for the new equipment.

MOTION was made by Councilman Lazarus to adopt the ordinance on final reading. Seconded by Councilman Vos. There being no further discussion the roll was called. Motion carried.

Roll Call:	Councilman Vos	Yes
	Councilman Imbriaco	Yes
	Councilman Lazarus	Yes
	Mayor Cimei	Yes

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF CLINTON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Clinton, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$1,384,000, including the aggregate sum of \$70,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,314,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to, and within the limitations prescribed by, the Local Bond Law.

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Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

(a) Providing for the purchase of a loader/backhoe, mowers, pick-up trucks, dump trucks for the Department of Public Works.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 465,000	\$ 442,000	5 years

(b) Providing for construction and installation of a wash bay for the Department of Public Works, including all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 130,000	\$ 123,000	10 years

(c) Providing for the purchase of fencing for athletic fields, including all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 50,000	\$ 47,500	15 years

(d) Providing for the purchase of a command vehicle for the Fire Department.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 55,000	\$ 52,000	5 years

(e) Providing for the purchase of a Fire Pumper for the Fire Department.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 400,000	\$ 380,500	10 years

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(f) Providing for the purchase of turn-out gear dryer machine, self-contained breathing apparatus, turn-out gear for the Fire Department.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 234,000	\$ 222,000	5 years

(g) Providing for the installation of a vented exhaust system for the Fire Department, including all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 25,000	\$ 23,500	10 years

(h) Providing for the purchase of various equipment, radios and furnishings for the Office of Emergency Management.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 25,000	\$ 23,500	5 years

<u>TOTAL APPROPRIATION</u>	<u>TOTAL BOND AUTHORIZATION</u>	<u>AVERAGE PERIOD OF USEFULNESS</u>
\$1,384,000	\$1,314,000	7.36 years

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery

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thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the names of the purchasers.

Section 5. The capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Township may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 7.36 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,314,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$70,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

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Section 7. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**RESOLUTIONS:**

Action Item #1

Resolution #101-13 – Hiring a Administrative Secretary/Receptionist – Police Department

Mayor Cimei introduced the matter.

MOTION was made by Councilman Imbriaco adopt the resolution. Seconded by Mayor Cimei. There being no further discussion the roll was called. Motion carried.

Roll Call:	Councilman Vos	Yes
	Councilman Imbriaco	Yes
	Mayor Cimei	Yes

**WHEREAS**, there exists a need to hire a full-time administrative assistant/receptionist for the Police Department due to the existing vacancy; and

**WHEREAS**, Township Administrator, Marvin Joss, and Police Director, Robert Manney, have interviewed several candidates and indicate that Ms. Tracy Housel is the best candidate for this position.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Clinton as follows:

1. Ms. Tracy Housel shall be hired as a full-time administrative assistant/receptionist, at an annual salary of \$31,000, effective October 15, 2013.
2. Benefits shall be granted as outlined in the township's policies and ordinances.

Action Item #2

Resolution #102-13 – Fiscal Grant Extension – Municipal Alliance

Mayor Cimei introduced the matter.

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MOTION was made by Mayor Cimei to adopt the above resolution. Seconded by Councilman Vos. There being no further discussion the roll was called. Motion carried.

Roll Call:	Councilman Vos	Yes
	Councilman Imbriaco	Yes
	Mayor Cimei	Yes

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, the Township of Clinton, County of Hunterdon, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

**WHEREAS**, the Township of Clinton, further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS**, the Township of Clinton was approved for a Municipal Alliance grant for the January 1, 2013 through December 31, 2013 grant term; and

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse has extended the 2013 grant term until June 30, 2014, in order to transition the grant to a fiscal year rather than calendar year cycle; and

**WHEREAS**, funding has been made available to the North Hunterdon Municipal Alliance in the amount of 50% of its approved 2013 grant total for the six-month extension period of January 1, 2014 to June 30, 2014, contingent upon meeting the 25% Cash Match and 75% In-Kind Match grant requirement for the extension funding.

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Clinton, County of Hunterdon, State of New Jersey hereby recognizes the following:

1. The Township of Clinton does hereby support the submission of an application for the North Hunterdon Municipal Alliance grant for the extension period in the amount of \$11,900.
2. The Township of Clinton Council acknowledges the terms and conditions for the Municipal Alliance grant.
3. As Lead Municipality for North Hunterdon, the Township of Clinton acknowledges the terms and conditions for administering the Municipal Alliance grant, including reporting of programs within its cluster area.

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Action Item #3

Resolution #103-13 – Authorizing a public auction – 1981 Mack Pumper Fire Truck

Mayor Cimei introduced the matter.

MOTION was made by Councilman Imbriaco to adopt the above resolution. Seconded by Councilman Vos. There being no further discussion the roll was called. Motion carried.

Roll Call:	Councilman Vos	Yes
	Councilman Imbriaco	Yes
	Mayor Cimei	Yes

**WHEREAS**, Clinton Township is in possession of a 1981 Mack Pumper Fire Truck deemed to be no longer needed for use by the Township; and

**WHEREAS**, Fire Chief, Marc Strauss and Administrator Marvin Joss has recommended this item be listed for public auction, and

**WHEREAS**, the minimum bid for the 1981Mack Pumper Fire Truck shall be \$6,000.00; and

**WHEREAS**, said items shall be auctioned at the following time and place:

Annandale Hose Co. No. 1, Fire Station 1  
68 Beaver Avenue  
Annandale, NJ 08801

Thursday, December 5, 2013 at 5:00 p.m.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Township of Clinton that a Public Auction be and hereby is scheduled for Thursday, December 5, 2013 at 5:00 p.m. at the location listed above for the item referenced in this resolution.

**BE IT FURTHER RESOLVED**, that the Township Clerk is hereby authorized to advertise in accordance with the law.

**BE IT FURTHER RESOLVED** that the monies received from the sale of the item be turned over to the Township Treasurer.

**VOUCHERS:**

Mayor Cimei introduced the matter.

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MOTION was offered by Councilman Imbriaco to approve the check control registers dated November 13, 2013 totaling \$12,595320.57. Seconded by Councilman Vos. There being no further discussion the roll was called. Motion carried.

Roll Call:

Councilman Vos	Yes
Councilman Imbriaco	Yes
Mayor Cimei	Yes

**PUBLIC COMMENT:**

There was no public comment.

**EXECUTIVE SESSION:**

#Resolution #104-13

MOTION was offered by Councilman Lazarus to move into executive session. Seconded by Mayor Cimei . There being no further discussion the roll was called. Motion carried.

Roll Call:

Councilman Vos	Yes
Councilman Imbriaco	Yes
Councilman Lazarus	Yes
Mayor Cimei	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 to 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:  
✓ Acquisition of interests in land with public funds and potential litigation related thereto, block 19, Lots, 37 and 38
3. It is anticipated at this time that the above stated subject matters will be made public as soon thereafter as it is deemed to be in the public interest to do so.
4. This resolution shall take effect immediately.
5. Action may be taken in open session.

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**MOTION TO RETURN FROM EXECUTIVE SESSION:**

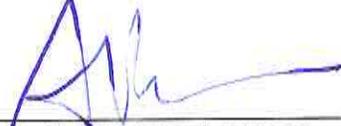
MOTION was offered by Councilman Vos to return to open session. Seconded by Councilman Lazarus. There being no further a voice vote was called. All ayes. Motion carried.

**MOTION TO ADJOURN:**

MOTION was offered by Councilman Vos to adjourn at 8:20 p.m. Seconded by Councilman Lazarus. There being no further discussion a voice vote was called. All ayes. Motion carried.

ATTEST:

  
\_\_\_\_\_  
Donna J. Burham, Township Clerk

  
\_\_\_\_\_  
A. Kevin Cimei, Mayor

Adopted: December 11, 2013