TOWNSHIP OF CLINTON
REGULAR COUNCIL MEETING
September 25, 2013

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TOWNSHIP OF CLINTON
REGULAR COUNCIL MEETING
September 25, 2013

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	Absent
Councilman Lazarus	Present (arr. 7:34)
Council President Marra	Present
Mayor Cimei	Present
Kristina P. Hadinger, Esq.	Present
Marvin Joss, Administrator	Present
Robert Manney, Police Director	Present
Donna Burham, Township Clerk	Present

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
	Council President Marra	Yes
	Mayor Cimei	Yes

Consent Item #1
Resolution #87-13 – 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
$2,000.00	B-82.18 L-49.27	43 County Club Drive	Brian Dreher	Perf Guarantee

PUBLIC COMMENTS:
There were no public comments.

NEW BUSINESS:
1. Development Application Fee – Daub's

Mayor Cimei introduced the matter and asked Planning Board Chair, John Higgins to discuss the issue. Mr. Higgins clarified the applicant's proper name for the Council. It is Clinton Agricultural Associates. He explained this is a similar situation to the Hionis matter. The CADB has determined that the Planning Board should review elements of the development application; but, like Hionis, the Planning Board's review will be limited and not a full site plan review given the property's status as a commercial farm and "Right-to-Farm" laws. A short discussion ensued.

Mr. Higgins indicated the Planning Board recommended an application fee of $2800 and a $6,100 escrow fee.

Mayor Cimei thanked Mr. Higgins for his work in collaborating with the CADB.

MOTION to approve a reduction in application and escrow fees as recommended by Mr. Higgins was made by Council President Marra. Seconded by Councilman Lazarus. There being no further discussion the roll was called. Motion carried.

Roll Call:	Councilman Vos	Yes
	Councilman Lazarus	Yes
	Council President Marra	Yes
	Mayor Cimei	Yes

OLD BUSINESS:
1. Capital Ordinance

Mayor Cimei introduced the matter. Fire Chief, Marc Strauss, and Dave Lunger of the Annandale Hose Co., No. 1 spoke about their capital needs. The Mayor stated capital discussions began about a month ago; he described the DPW needs and said he would like to introduce an ordinance at the next meeting.

Mayor Cimei discussed the idea of leasing fire trucks and indicated it does not make sense. Mr. Joss said at the end of the lease Clinton Township will not own the truck, and he stated government entities can get better interest rates than from a leasing company.

Mayor Cimei stated the Fire Company was asked to trim its list back a bit. Marc Strauss indicated there is no Homeland Security funding for any of the items requested. He also discussed the need for new turnout gear for the firefighters.

Mayor Cimei asked Chief Strauss about the plymovent. Marc discussed a grant obtained in 2004 for the current vent system. This is a system that provides exhaust for the fire trucks.

Mr. Joss discussed delaying the purchase of the command vehicle. He further discussed the Township's debt ratio and the payments required on that debt. A lengthy discussion of the capital items was held.

Consensus of Council was to present an ordinance for introduction at the next meeting.

REPORTS:

Councilman Vos:
No report.

Councilman Lazarus:
Councilman Lazarus reported the County Solid Waste Advisory Council met for the first time in quite a while. The County authorized a new agreement with Waste Management to operate the transfer station on Petticoat Lane. Councilman Lazarus indicated Council needs to monitor the situation over the next few years.

Council President Marra:
Council President Marra reported the Recreation Department's Golf Outing was a success.

Mayor Cimei:
Mayor Cimei asked Ms. Hadinger to talk about the challenge to the 3rd round rules adopted by COAH. She indicated a ruling would be coming out the following day.

The Mayor stated JCP&L will be having a small helicopter inspecting power lines in the Township.

Administrator:
Mr. Joss stated there have been three meeting with Williams Transco. They are mobilizing to leave and completing roadwork in the area. Transco is also paying for a sewer camera to check the line in the area of Seven Springs Road, and it was found there are no repairs necessary.

Mr. Joss also said repaving of Lilac Drive will be beginning on Monday, September 30. Negotiations are also being held to discuss funds to repair Payne Road.

Mr. Joss provided an update on COAH, indicating Clinton Township's plan is in Trenton, and the Township is engaged in negotiations with Conifer to produce a development agreement for affordable housing on both the Windy Acres and Fox Seals/Old Municipal Building sites. Alternatives have been explored for the Old Municipal Building, and Mr. Joss noted none were viable.

Mr. Joss also explained the Township tried to apply to the State Historic Preservation Office for permission to demolish the building, and was told permission would not be granted.

Director Manney:
Mr. Manney stated accidents are increasing due to deer season. He also spoke about getting a new vehicle and asked for a resolution at the next Council meeting. Mayor Cimei indicated the township should purchase two since it takes such a long time to come in.

ACTION:

RESOLUTIONS:

Action Item #1
Resolution #88-13 – Hiring a part-time field inspector – Tax Assessor

Mayor Cimei introduced the matter.

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

Roll Call:	Councilman Vos	Yes
	Councilman Lazarus	Yes
	Council President Marra	Yes
	Mayor Cimei	Yes

WHEREAS, due to the resignation of the former field inspector in the Tax Assessor's Office,, there exists a need to hire a part-time employee to cover the existing workload; and

WHEREAS, Tax Assessor, Jeff Ward, has interviewed several candidates and finds that Ms. Sheri E. DeGalbo is the most qualified individual for this position, Mr. Ward and Administrator Marvin Joss request Council approval to hire Ms. DeGalbo for no more than twenty hours per week, at $15.00 per hour.

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

1. Ms. DeGalbo shall be hired on a part-time basis as delineated above, with no health, vacation, sick time or any other township benefits.
2. Ms. DeGalbo shall be hired effective October 1, 2013.

Action Item #2
Resolution #90-13 – Green Acres enabling resolution

Mayor Cimei introduced the matter. Mr. Joss explained resolution enables the Township to apply for grants and Green Acres funding.

MOTION was made by Council President Marra 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 Lazarus	Yes
	Council President Marra	Yes
	Mayor Cimei	Yes

WHEREAS. The New Jersey Department of Environmental Protection, Green Acres Program ("State") provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Township of Clinton has previously obtained a loan of $2,614,341 and/or a grant of $3,960,659 from the State to fund the following projects:

Parcels relative to the Master Plan located throughout the Township of Clinton

WHEREAS, the State and the Township of Clinton intends to increase Green Acres funding by $325,000; and

WHEREAS, the applicant is willing to use the State's funds in accordance with its rules, regulations and applicable statues and is willing to enter into an Amendment of the Agreement with the State for the above-named project;

NOW, THEREFOE, BE IT RESOLVED BY THE Township Council THAT:

1. The Township Administrator of the above named body is hereby authorized to execute an agreement and any amendment thereto with the State known as the Marookian site, and;
2. The applicant has its matching share of the project, if a match is required, in the amount of $325,000.
3. In the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
4. The applicant agrees to comply with all applicable federal, state and local laws, rules, and regulations in its performance of the project.
5. This resolution shall take effect immediately.

VOUCHERS:

Mayor Cimei introduced the matter.

MOTION was offered by Council President Marra to approve the check control registers dated September 25, 2013 totaling $4,785,783.18. Seconded by Councilman Lazarus . There being no further discussion the roll was called. Motion carried.

Roll Call:		
	Councilman Vos	Yes
	Councilman Lazarus	Yes
	Council President Marra	Yes

Mayor Cimei	Yes

PUBLIC COMMENT:

There was no public comment.

EXECUTIVE SESSION:
#Resolution #90-13

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

Roll Call:

Councilman Vos	Yes
Councilman Lazarus	Yes
Council President Marra	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:
   - ✓ Police Department Staffing/Personnel
   - ✓ Matters relative to negotiations concerning property adjacent to Bundt Park
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.

MOTION TO RETURN FROM EXECUTIVE SESSION:

MOTION was offered by Council President Marra 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 Imbriaco to adjourn at 8:40 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: October 9, 2013