

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
April 24, 2013

---

**TABLE OF CONTENTS**

---

**CALL TO ORDER:** Flag Salute: Open Public Meetings Act Statement ..... 1

**ROLL CALL:** ..... 1

**PROCLAMATION:**..... 2

**APPROVAL OF MINUTES:**..... 2

**CONSENT:**..... 2

    1. Resolution #52-13 – Reach the Beach Relay

**PUBLIC COMMENTS:**..... 3

**OLD BUSINESS:**..... 3

**NEW BUSINESS:** ..... 4

**REPORTS:**..... 4

    ➤ Directors/Liaisons

**ORDINANCE INTRODUCTION:** ..... 4

    Ordinance #1050-13 – An Ordinance Amending and Supplementing Chapter 75 of the Code of the Township of Clinton, Hunterdon County to Require Upkeep of Vacated and Unoccupied Properties, and setting the public hearing for May 22, 2013

    Introduction of the 2013 Budget

**ORDINANCE ADOPTION:**..... 8

    Ordinance #1049-13 – CAP Index Ordinance

**RESOLUTIONS:** ..... 9

    1. Resolution #53-13 – Approving Interlocal Services Agreement with Union Township

    2. Resolution #54-13 – Budget self-examination

**VOUCHERS:** ..... 15

**PUBLIC COMMENT:** ..... 16

**ADJOURN:**..... 16

**CALL TO ORDER:**

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

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
April 24, 2013

**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	Absent
Councilman Imbriaco	Present
Councilman Lazarus	Present (arr. 8:00)
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

**MINUTES FOR APPROVAL:**

MOTION was made by Council President Marra to approve the regular minutes of March 13, 2013. Seconded by Mayor Cimei. Councilman Imbriaco noted he was absent for the March 13, 2013 meeting. There being no further discussion the roll was called. Motion carried.

Roll Call:

Council President Marra	Yes
Mayor Cimei	Yes

MOTION was made by Council President Marra to approve the executive minutes of March 13, 2013. Seconded by Mayor Cimei. There being no further discussion the roll was called. Motion carried.

Roll Call:

Council President Marra	Yes
Mayor Cimei	Yes

**CONSENT:**

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

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

Roll Call:

Councilman Imbriaco	Yes
Councilman Lazarus	Yes
Council President Marra	Yes
Mayor Cimei	Yes

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
April 24, 2013

Consent Item #1

Resolution #52-13 – Reach the Beach Relay

**WHEREAS**, New Balance is seeking to hold a running event October 18-19, 2013; and

**WHEREAS**, New Balance has pledged to work with the Clinton Township Police Department, Park Rangers and County Officials as necessary; and

**WHEREAS**, Officer In Charge, Lt. Douglas Higgins has determined there are no public safety concerns; and

**WHEREAS**, this approval is contingent upon the Township's receipt of a valid insurance certificate of liability, said certificate shall name the Township and all of its officers, employees, agents and volunteers as additional insureds.

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

1. The Township Clerk is instructed to send this resolution of approval to New Balance.

**PUBLIC COMMENTS:**

There were no public comments.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

**REPORTS:**

Councilman Imbriaco:

Councilman Imbriaco reported that Environmental Commission will be hosting a table at Community Day to give away seedlings and distribute water testing kits.

Councilman Imbriaco indicated the Open Space Commission has heard a presentation by Thatcher Simpson of Clinton Township and Jeff Oliver from High Bridge, and they would like to propose a trail on Springside Farm, which was purchased in 2002 by the Township and High Bridge. These gentlemen maintain the trail on the High Bridge side and would like to continue that maintenance on the Clinton Township side. There is damage to the trail due to off-road vehicles.

Councilman Imbriaco asked if Council needs to take action authorizing this project, which is at no cost to the Township. Ms. Hadinger indicated action should be taken to authorize an agreement.

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
April 24, 2013

Councilman Imbriaco also asked if these off-road vehicles can be barred. Ms. Hadinger agreed to check the Township ordinances but felt sure these vehicles are already barred. Mr. Imbriaco asked if signage can be posted indicating their prohibition.

Council President Marra:

Council President Marra encouraged all to attend Community Day April 27, 2013.

Attorney:

Ms. Hadinger stated she has prepared a draft resolution relative to the Open Space Trust fund and would propose including it on the next meeting agenda.

Mayor Cimei:

No report.

Administrator:

Director Manney:

Director Manney indicated the Police Department will hold the annual Junior Police Academy June 24<sup>th</sup> through June 28<sup>th</sup> and applications are available at the Police Department. He encouraged parents to sign up their youngsters early as the program fills quickly on a first come first served basis.

Mr. Manney also noted on Saturday morning between 10 and 2 an “operation take back” for prescription drugs will be held at the Police Station.

Ms. Hadinger indicated the Township may enter into an agreement with a volunteer organization but they would need to sign a waiver of liability. She indicated the Administrator can be authorized to sign it.

MOTION was made by Council President Marra and seconded by Councilman Imbriaco to authorize the Administrator to execute the above stated agreement relative to Springside Farms. There being no further discussion a voice vote was called and the motion was unanimously approved.

**ACTION:**

**ORDINANCE INTRODUCTION:**

**BUDGET INTRODUCTION – 2013, and setting the public hearing for May 22, 2013**

Mayor Cimei introduced the matter and recognized the work of the budget committee. Mr. Joss gave an explanation of the budget, indicating the committee worked to use as little surplus as possible.

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
April 24, 2013

The budget is \$11,248,191, this is 3.6% reduction over last year's spending level. It is \$1,000,000 less than the 2010 budget. Mr. Joss explained the reductions in expenses and indicated our spending continues to drop. The Township has also generated more revenue through the municipal court.

Mr. Joss explained Hurricane Sandy also affected the budget; the Township is slated for a FEMA grant but that money may not be available in 2013, so it couldn't be included in this year's budget.

Mr. Joss gave a detailed explanation of the elements of the 2013 budget.

MOTION was offered by Council President Marra to introduce the 2013 budget on first reading. Seconded by Councilman Imbriaco. There being no further discussion the roll was called. Motion carried.

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

Ordinance #1050-13      An Ordinance Amending and Supplementing Chapter 75 of the Code of the Township of Clinton, Hunterdon County to Require Upkeep of Vacated and Unoccupied Properties, and setting the public hearing for May 22, 2013

Mayor Cimei introduced the matter and explained the impetus behind the ordinance.

Councilman Imbriaco noted that property owners will receive notices to clean up their property before any violation would be issued.

MOTION was offered by Councilman Imbriaco to introduce the ordinance on first reading. Seconded by Council President Marra. There being no further discussion the roll was called. Motion carried.

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

**ORDINANCE #1050-13**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 75 OF THE CODE OF THE TOWNSHIP OF CLINTON, HUNTERDON COUNTY TO REQUIRE UPKEEP OF VACATED AND UNOCCUPIED PROPERTIES**

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

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
April 24, 2013

**Section 1. Chapter 75. BRUSH, WEEDS AND TRASH of Code Amended.** Chapter 75. BRUSH, WEEDS AND TRASH of the Code of the Township of Clinton, Hunterdon County is amended and supplemented as follows (deletions from text are indicated by [brackets], and additions to text by underlining):

A. Chapter 75 shall be re-titled **BRUSH, WEEDS, [AND] TRASH, AND GRASS-CUTTING.**

B. A new section 75-8 Upkeep of Vacated or Unoccupied Property to read as follows shall be added to Chapter 75:

§ 75-8. Upkeep of vacated or unoccupied property.

A. Findings and Purpose. The Mayor and Council find that some vacated or unoccupied properties in the Township have been neglected to the detriment of the health, safety and welfare of the inhabitants of neighboring properties. Examples of such neglect include high grass, dead or diseased tree branches, and the accumulation of trash and debris on properties. If not checked, such conditions of neglect can lead to unsafe sight line obstructions for motorists and pedestrians and the establishment of habitat for rodents and vermin. In addition, the on-going lack of maintenance can contribute to blighting conditions in neighborhoods, and thereby negatively impact property values to the detriment of the neighboring properties and the Township as a whole. The purpose of this section is to protect the health, safety and welfare of Township inhabitants by establishing minimum standards of yard maintenance for vacated or unoccupied properties.

B. Definitions. As used in this section, the following terms shall have the meanings indicated:

NUISANCES AND HAZARDS – Dead and diseased trees and/or other natural growth which, by reason of rotting or deteriorating conditions or storm damage, including loose and overhanging limbs, are dangerous to persons in the vicinity thereof.

OWNER – Any person(s) or entity(ies) who has legal or equitable title to any vacated or unoccupied property or part thereof, with or without accompanying actual possession, or shall have charge, care or control of any vacated or unoccupied property or part thereof, or the owner's agent or fiduciary, including, but not limited to fiduciaries, trustees, executors, receivers, and administrators, or creditors having responsibility for the property pursuant to N.J.S.A. 46:10B-51.

VACATED OR UNOCCUPIED PROPERTY – A building that has been vacated of human occupancy by the record holder of title or tenant(s) and not re-occupied, or is empty, including without limitation, a newly constructed building or building under construction that has never been occupied, a building that is not occupied by the record holder of title or a tenant and is subject to foreclosure, and a building that is subject to probate or estate administration that has not been re-occupied.

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
April 24, 2013

YARD – The open, unoccupied area of land surrounding a building, excluding those portions of the yard that are wetlands, marshes, or subject to conservation restrictions or farmland assessment.

C. Upkeep of vacated or unoccupied property required. Vacated or unoccupied property shall be maintained in accordance with the following standards:

(1) The yard shall be kept free of all nuisances and hazards, and shall also be kept free of litter.

(2) Grass, brush and weeds on the yard shall not exceed ten (10”) inches in height.

D. Enforcement.

(1) The Zoning Officer shall have responsibility for enforcement of this section.

(2) Whenever the Zoning Officer has found a violation of this section, notice shall be given to the owner to remove or abate such condition within the time specified in the notice but not less than ten (10) days from the date of service thereof or such shorter time as the Zoning Officer shall direct where, in his/her opinion, conditions warrant correction within a shorter time. Such notice shall be in writing and shall be deemed sufficiently served if sent by registered or certified mail to the last known address of the owner as shown on the current tax records of the Township, or, in the case of a property subject to foreclosure for which the Township has received notice pursuant to N.J.S.A. 46:10B-51, the creditor or the registered agent for any creditor. A copy of the notice may also be posted on the front door of the principal building on the vacated or unoccupied property. The notice shall state that unless the violation is abated, removed or cured within ten (10) days of the date of the notice’s issuance, a summons may be issued for such violation. The Zoning Officer shall have the discretion to extend the time period for compliance contained in the notice if conditions reasonably warrant an extension. The notice shall also state that if the violation is not abated, removed or cured within the time period established by the Zoning Officer the Township may enter the property and perform work to abate, remove or cure the violation, and the costs therefor may be charged against the property, bear interest at the same rate as taxes, and become a lien on the property.

(3) In the event the violation is not abated, removed, or cured within the time period established by the Zoning Officer, a summons may issue against the owner so notified.

E. Violations and Penalties. Any person found to be in violation of this section shall be subject to the penalties established by § 1-17 of this Code.

F. Performance of work by Township & lien for costs of performing work. In the event the owner refuses or neglects to abate, remove or cure the violation within the time period established by the Zoning Officer under subparagraph D.(2) of this section, the Township may perform the work or cause the work to be done under the direction of the Zoning Officer and/or Public Works Director. The Zoning Officer and/or Public Works Director, as the case may be, shall

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
April 24, 2013

certify to the Township Council the cost of the work performed under this subparagraph, and the Township Council shall examine the certificate. If the Township Council finds the cost of the work set forth in the certification to be accurate, it shall adopt a resolution approving the certification of costs. A copy of the resolution, certified by the Township Clerk to be true, shall be directed by the Township Clerk to the Tax Collector and mailed by certified mail, return receipt requested to the owner at its last address known to the Township within ten days of its adoption by the Township Council. The Tax Collector shall cause that cost to be charged against the property, the amount so charged shall immediately become a lien upon the property, and shall be added to, become and form part of the taxes next to be assessed and levied upon the property, and the same shall bear interest at the same rate as taxes and be collected and enforced by the Tax Collector and in the same manner as taxes.

**Section 2. Repealer.** All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

**Section 3. Severability.** If any section, subsection, sentence, clause, phrase or portion of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall only apply to the section, subsection, sentence, clause, phrase or portion of this ordinance so adjudged and the remainder of the ordinance shall be deemed valid and enforceable.

**Section 4. Effective Date.** This ordinance shall take effect upon final passage and publication as provided for by law.

**ORDINANCE ADOPTION:**

Ordinance #1049-13 – CAP Index Ordinance

Mayor Cimei introduced the matter and opened the public hearing. Kim Kientz, CFO explained the ordinance.

MOTION was offered by Council President Marra to adopt the ordinance on final reading. Seconded by Councilman Lazarus. There being no further discussion the roll was called. Motion carried.

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

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
April 24, 2013

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

**WHEREAS**, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40A:4-45.15a provides that municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS**, the Mayor and Council of the Township of Clinton, in the County of Hunterdon, finds it advisable and necessary to increase its CY 2013 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Mayor and Council of the Township of Clinton hereby determines that a 3.5% increase in the budget for said year in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS**, the Mayor and Council of the Township of Clinton, hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Township of Clinton in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2013 budget year, the final appropriations of the Township of Clinton shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5% and that the CY 2013 municipal budget for the Township of Clinton be approved and adopted in accordance with this ordinance; and

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Action Item #1

Resolution #53-13 – Approving Interlocal Services Agreement with Union Township

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
April 24, 2013

Mayor Cimei introduced the matter and explained the resolution.

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

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

This Shared Service Agreement (hereinafter referred to as “**Agreement**”) dated this \_\_\_\_ day of \_\_\_\_\_, 2013,

Between: **TOWNSHIP OF CLINTON**, in the County of Hunterdon,  
a municipal corporation of the State of New Jersey  
1225 Route 31 South, Suite 411  
Lebanon, NJ 08833

(hereinafter referred to as “**Clinton Township**” or the “**Provider**”)

and:

**TOWNSHIP OF UNION** in the County of Hunterdon,  
a municipal corporation of the State of New Jersey  
140 Perryville Road  
Hampton, NJ 08827

(hereinafter referred to as “**Union Township**”)

**WHEREAS**, there is a need for enforcement of parking and anti-idling regulations in and for Union Township; and

**WHEREAS**, Clinton Township is willing and able to supply trained special police officers to Union Township for the limited services provided herein; and

**WHEREAS**, it is deemed to be in the best interests of the residents of the Provider and Union Township to enter into a contract pursuant to NJSA 40A:65-1, et seq. (the “Uniform Shared Services and Consolidation Act”) to enable the Provider to afford police services through the Provider’s Police Department to Union Township; and

**NOW THEREFORE** Clinton Township and Union Township, in consideration of the mutual promises and covenants herein set forth agree as follows:

Section 1.) Scope of Services.

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
April 24, 2013

- a) Clinton Township agrees to provide regular and/or special police officers and equipment necessary for parking enforcement and anti-idling enforcement in Union Township on a part-time, as-needed basis. Such services shall be provided under the direction of the Clinton Township Police Director, or in the absence of the same, the Clinton Township Officer-in-Charge. All rules and regulations pertaining to the Provider's police department will be promulgated and enforced by the Provider with respect to the authorized activities in Union Township.
- b) The term "parking enforcement," as used herein shall include enforcement of no parking, as well as no stopping or standing regulations, including but not limited to, the following:
  - 1) NJDOT Traffic Regulation Order RP 2011-03(NSS), No Stopping/Standing of Vehicles on Route NJ 173
  - 2) NJDOT Traffic Regulation Order RP 2012-23(NSS), No Stopping/Standing of Vehicles on Frontage Road
  - 3) Ordinance #2012-15, No Stopping/Standing of Vehicles on Certain Streets (Revised)
  - 4) Ordinance #2012-14, Title 39/Pilot Facility Traffic Ordinance (Parking Violations)
- c) Anti-idling enforcement shall be in accordance with both the Motor Vehicle and Traffic Act, NJSA 39:3-70.2 and the Air Pollution Control Act, NJSA 26:2C-1. The NJDEP will provide anti-idling enforcement information to the Clinton Township Police Department for their use in enforcing the anti-idling provisions of this agreement.
- d) Services restricted to parking and anti-idling enforcement. The services provided by the Clinton Township Police Department shall be limited to parking and anti-idling enforcement, including performance of assignments within Union Township and court appearances. Excluded from the scope of services of this contract is the enforcement of moving violations or any other general police services. General police services and traffic enforcement shall remain the sole responsibility of the New Jersey State Police in Union Township, provided however, that nothing herein contained is intended to the abrogate the State-wide arrest and/or other powers of Provider's officers.
- e) Union Township shall be responsible for purchasing and providing the Clinton Township Police Department with ticket books to be used by Clinton Township in connection with the provision of parking and anti-idling enforcement.

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
April 24, 2013

Section 2.) Dates and times of services. The services rendered by the Clinton Township Police Department shall be part-time and scheduled by the Union Township police liaison on random dates and hours agreeable to the Clinton Township Police Director, it being understood that should an emergent situation arise in Clinton Township during a time scheduled for the provision of services to Union Township, the Police Director may reschedule the services in further consultation with the Union Township police liaison.

Section 3.) Jurisdiction. All parking and anti-idling violation citations shall be under the jurisdiction of the Union Township Municipal Court.

Section 4.) Consideration. As full consideration for the satisfactory performance of the above traffic enforcement services referenced in this agreement, Union Township agrees to pay Clinton Township the all inclusive rate of \$32.00/hr. per officer utilized, such all inclusive rate to include the cost of the police officer, vehicle and any other equipment that may be needed to accomplish the parking or anti-idling enforcement requirements. Clinton Township shall bill Union Township on a monthly basis and payments by Union Township shall be due within thirty (30) days' receipt of billing.

Section 5.) Insurance and Indemnification.

- a) The Provider shall be solely responsible for all liability insurance, worker's compensation insurance, disability insurance, payroll, medical benefits, pension, unemployment, social security, withholding, any and all other expenses related to employee compensation or benefits; and the training, hiring, firing and discipline of police personnel and staff, including all incidental expenses and costs that accompany same.
- b) Union Township shall not be liable for any negligent, reckless or intentional acts or omissions of the Provider and the Provider shall indemnify, defend and hold Union Township harmless from all losses, injuries or damages caused by the negligent, reckless or intentional acts of the Provider or any of its employees or independent contractors in rendering the law enforcement services set forth in this Agreement. Such indemnification shall include payment of reasonable attorney's fees and costs in the defense of any claim made by a third person incident to such negligent, reckless or intentional acts or omissions. In no event, however, shall the Provider be responsible for defending any claim, cause of action or litigation, or portion of any such claim, cause of action or litigation, challenging the validity of the underlying regulation, order, statute or ordinance, and Union Township shall indemnify, defend and hold the Provider, and/or its officers and employees, harmless from all losses, injuries, damages and/or attorney's fees, whether foreseen or unforeseen, suffered or incurred by Provider, and/or its officers and employees arising from, incident to, connected with or growing out of any such claims, causes of action or litigation.
- c) Where permitted by the carrier, the Provider will cause Union Township to be named as an additional insured on the Provider's police professional liability policy on a primary, non-contributory basis. The Provider represents that its police professional

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
April 24, 2013

coverage is included in its general liability coverage. The Provider and Union Township shall each name the other as an additional insured on its general liability insurance policy. The Provider will provide proof of automobile liability and workers compensation policies.

Section 6.) No assignment. The Provider and Union Township agree that there will be no assignment of their respective rights or obligations under this Agreement, unless agreed in writing by both parties and with proper official public action.

Section 7.) Miscellaneous.

- a) This Agreement represents the entire agreement between the parties and cannot be changed or modified orally. This Agreement may be supplemented, amended or revised only by a writing, which is signed by all of the parties hereto.
- b) If any part of this Agreement shall be held to be invalid, illegal or unenforceable, the parties agree to negotiate in good faith and agree to such amendments to this agreement or to such other appropriate action as shall implement and give effect to the intention of the parties as reflected herein and the other provisions of this Agreement, as so amended, shall nevertheless remain in full force and effect.
- c) Failure to insist upon strict compliance with any of the terms, covenants, or conditions of this Agreement at any one time shall not be deemed a waiver of such term, covenant, or condition at any other time nor shall any waiver or relinquishment of any right or power herein at any time be deemed a waiver or relinquishment of the same or any other right or power at any other time.
- d) The captions in this Agreement are inserted for the convenience of the parties and shall not be construed as defining the terms of this Agreement.

Section 8.) Prior Approvals. The parties shall notify the Hunterdon County Prosecutors Office of the existence of this agreement, and shall secure such other approvals as may be required by law. Each party hereto shall adopt appropriate resolutions approving this agreement and shall supply the other party with certified copies thereof.

Section 9.) Governing Law. This Shared Services Agreement shall be governed by the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq.

Section 10.) Parking Enforcement Liaison Committee. There is hereby established a Parking Enforcement Liaison Committee consisting of two (2) representatives of each municipality as designated by their respective governing bodies. The Committee shall act as liaison between the Clinton Township Police Department and the governing bodies, consistent with the overall responsibility for the administration of the Clinton Township Police Department by its Police Director. Each party hereto shall notify the other party of the names of its Committee representatives annually within 15 days of their respective reorganization meetings.

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
April 24, 2013

Section 11). Monthly Reports by Court Administrator. The Court Administrator shall provide, by the fifteenth (15<sup>th</sup>) day following the closing of the month, to the Union Township Clerk, the total number of parking and anti-idling citations issued in Union Township, as well as the total amount of fines, costs and penalties collected and distributed to Union Township for such violations. These reports will also include the total paid to Union Township on a monthly and year to date basis for such violations. In addition, the Court Administrator will supply to the Clerk copies of relevant reports that are being prepared and filed with the Superior Court and/or Administrative Office of the Courts, and as are currently on file with Clinton Township.

Section 12). Duration.

- a.) The term of this agreement shall initially begin on the date first listed above and shall terminate on December 31, 2014. Thereafter, this agreement may be renewed on an annual basis terminating on December 31<sup>st</sup> of each year.
- b.) Either party may terminate this agreement with or without cause upon 120 days written notice to the other party.

**IN WITNESS WHEREOF**, the parties hereto have caused these presents to be signed by their respective mayors and their corporate seals affixed hereto and attested by their respective clerks the day and year first above written.

Action Item #2

Resolution #54-13 – Budget self-examination

Mayor Cimei introduced the matter.

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

Roll Call:

Councilman Imbriaco	Yes
Councilman Lazarus	Yes
Council President Marra	Yes
Mayor Cimei	Yes

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Township of Clinton has been declared

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
April 24, 2013

eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Township meets the necessary conditions to participate in the program for the 2010 budget year, so now therefore

BE IT RESOLVED, by the Mayor and Council of the Township of Clinton that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the certifications of the Chief Financial Officer as set forth below. The governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law.)
3. That the budget is in such form arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate, and correctly stated
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

**VOUCHERS:**

Mayor Cimei introduced the matter.

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
April 24, 2013

MOTION was offered by Councilman Lazarus to approve the check control registers dated April 24, 2013 totaling \$637,932.18. Seconded by Councilman Imbriaco. There being no further discussion a voice vote was called. Motion carried.

Roll Call:

Councilman Imbriaco	Yes
Councilman Lazarus	Yes
Council President Marra	Yes
Mayor Cimei	Yes

**PUBLIC COMMENT:**

None

**MOTION TO ADJOURN:**

MOTION was offered by Councilman Imbriaco to adjourn at 8:05 p.m. Seconded by Council President Marra. 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: May 22, 2013