

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
May 28, 2014

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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:**

Councilwoman Switlyk	Present
Councilman Mullay	Present
Councilman Imbriaco	Absent
Council President Marra	Present
Mayor Cimei	Present
Kristina P. Hadinger, Esq.	Present
Marvin Joss, Administrator	Present
Kim Kientz, CFO	Present
Donna Burham, Township Clerk	Present

Mayor Cimei wished to acknowledge the retirement of Township Clerk, Donna Burham and reviewed her history with the Township. Mayor Cimei and Council members wished Donna well in her future endeavors.

**PROCLAMATION:**

**WHEREAS**, Relay for Life is the signature activity of the American Cancer Society and celebrates cancer survivors and caregivers, remembers love ones lost to the disease, and empowers individuals and communities to fight back against cancer; and

**WHEREAS**, money raised during Relay for Life of Hunterdon County supports the American Cancer Society's mission of saving lives and creating a world with less cancer and more birthdays – by helping people stay well, by helping people get well, by finding cures for cancer and by fighting back; and

**WHEREAS**, Relay for Life helped fund more than \$150 million in cancer research last year; and

**NOW, THEREFORE BE IT RESOLVED**, that I, Kevin Cimei, Mayor of the Township of Clinton, County of Hunterdon, State of New Jersey, do hereby proclaim May 30, 2014 as Relay for Life Day in Clinton Township, and encourage citizens to participate in the Relay for Life Event at North Hunterdon Regional High School on May 30.

In witness thereof, I have hereunto set my hand and caused the Seal of the Township of Clinton to be affixed.

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**APPROVAL OF MINUTES:**

Executive Session                      March 26, 2014

Mayor Cimei introduced the matter.

MOTION was made by Council President Marra to approve the above referenced minutes. Seconded by Councilman Mullay. There being no further discussion the roll was called. Motion carried.

Roll Call:	Councilwoman Switlyk	Yes
	Councilman Mullay	Yes
	Council President Marra	Yes
	Mayor Cimei	Abstain

**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 Mullay. There being no further discussion the roll was called. Motion carried.

Roll Call:	Councilwoman Switlyk	Yes
	Councilman Mullay	Yes
	Council President Marra	Yes
	Mayor Cimei	Yes

Consent Item #1

Resolution 58-14 Tax Premium Refund, Block 82.13, Lot 57.1705

**WHEREAS**, liens on properties located in the Township of Clinton have been redeemed;  
and

**WHEREAS**, Tax Collector, Patricia Centofanti requests Mayor and Council approve the premium refunds required.

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

1. Checks shall be issued for the properties listed below, such checks representing premium refunds on tax liens.

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<u>Block</u>	<u>Lot</u>	<u>Certificate</u>	<u>Vendor</u>	<u>Premium</u>
82.13	57.1705	2013-013	US BANK CUST FOR PRO CAP III LLC	\$1000.00
			50 S 16 <sup>TH</sup> ST, SUITE 1950	
			PHILADELPHIA, PA 19102	
			<b>TOTAL</b>	<b>\$1000.00</b>

Consent # 2

Resolution #59-14 – 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	20/7.09	10 Deer Run	Andrew Pecoraro	Perf.Guarantee

**PUBLIC COMMENTS:**

Walter Wilson, Esq. and Richard Meurer, owner and developer of The Village Green by the Annandale train station came before Council to introduce two topics that they hope to have the Township Council and Township Engineer consider. The site has already received preliminary and final site plan approval, and is a mixed use development with retail, office, market rate residential housing and 3 COAH units. Part of the approvals requires the phasing in of the COAH units to come on line as the market rate units are completed. Mr. Wilson said the COAH units will be done within the year, but would like the Council to waive the phasing requirement, as the units will not be completed in time. Ms. Hadinger said that the phasing requirement is a COAH requirement; that is, it is set forth in COAH’s regulations in addition to the Township’s ordinances. Mr. Joss stated that having the units recognized as COAH approved units by COAH is of the utmost importance and suggested Mr. Wilson go back to COAH and get something in writing to make sure the Township receives credit for those units if COAH was even able to waive the phasing requirement. Council agreed that Mr. Wilson should get some more information in writing from COAH and work with Township consultants before it takes up this issue again.

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The second issue has to do with the parking requirements for the project as outlined in the project's approval. Mr. Wilson said that in order to attract a restaurant, some modifications to the Township's ordinances and their approvals are required and he asked the Council to approve such changes. Council said they were not comfortable dealing with this issue without input from the Planning Board and suggested Mr. Meurer go back to the Planning Board and discuss this issue with them first. Mr. Wilson suggested that the engineer and planner could have an initial look at the issue and that their costs could be paid from the developer's escrow for the project.

Nick Corcodilos praised Donna Burham for her time as the Township Clerk, and expressed his pleasure with working with her during his previous time as Mayor

**NEW BUSINESS:**

Mr. Joss explained that the DPW union just completed a three year contract covering years 2011-2013. They had no increase in 2011, a flat dollar amount of \$1,000 in 2012 and a flat dollar amount of \$1250 in 2013. DPW has now agreed to a three year contract for 2014-2016. It would give them a flat dollar amount of \$1,000 in 2014, \$1050 in 2015 and \$1,100 in 2016 and a slight adjustment in their uniform allowance from \$525 to \$550.

MOTION was made by Councilman Mullay to ratify these new terms for the DPW Union. Seconded by Councilman Marra. There being no further discussion the roll was called. Motion carried.

Roll Call:	Councilwoman Switlyk	Yes
	Councilman Mullay	Yes
	Council President Marra	Yes
	Mayor Cimei	Yes

**OLD BUSINESS:**

The Mayor stated the Governing Body has been trying to meet the Township's COAH affordable housing obligations. The Mayor stated he had supported the previous plan that included the Old Allerton Road site, the Old Municipal Building (Fox Seals) and the Windy Acres site. That plan was amended to remove Old Allerton Road, and put those units on Windy Acres. He said he was not in favor of that. The Council had looked into developing the old Municipal Building as either senior housing or housing for the developmentally disabled. Both of those options were determined to be not feasible after two RFP's were issued by the Township with no response from the development community. The property at the corner of Valley Crest Rd and Route 31 was offered for sale and seemed to meet many of the requirements for a quick and cheaper solution than the Windy Acres project due to its proximity to public water and sewer. Over the past four months or so, Council had discussions regarding this site, and had a bond ordinance prepared that would authorize a purchase option, and after due diligence, would authorize the purchase of the site for a 100% affordable project. The Ordinance was introduced May 14, 2014. The Mayor said this ordinance will be up for

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adoption on June 11, 2014, and Council members should be prepared to discuss their position on it, and discuss viable and cost effective alternatives should they not support this ordinance

**REPORTS:**

Councilwoman Switlyk:

Councilwoman Switlyk reported on May 15, 2014 she delivered a proclamation to the Hunterdon Learning Center. She further indicated the Clinton Township Board of Education met May 19, this month and presented a program at Patrick McGeranah School called American Reading Company. Transportation will eliminate bus stops in cul-de-sacs less than .5 miles due to safety issues. Residents have an opportunity to appeal each case. Round Valley school had a lock out due to a bear sighting at Met Life.

Councilman Mullay:

Councilman Mullay reported the Historic Commission met two weeks ago and discussed the Springhouse Estates request to demolish a barn on the property. The Planning Board met last Monday and accepted the applicants request to tear down and restore the barn.

Council President Marra:

No report

Administrator:

Mr. Joss stated that the new website is up and running.

A part time job opening is available in the Construction Department. Send resumes to his attention.

Police:

Lt. Higgins is working on the monthly comparison report.

**ACTION:**

**RESOLUTIONS:**

Action Item #1

Resolution #60-14 – Approving towing operator

Mayor Cimei introduced the matter.

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

Roll Call:	Councilwoman Switlyk	Yes
	Councilman Mullay	Yes
	Council President Marra	Yes
	Mayor Cimei	Yes

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**WHEREAS**, the Township of Clinton introduced on February 2, 2011, and finally adopted on February 23, 2011, Ordinance 1015-11, entitled, "Towing"; and

**WHEREAS**, this ordinance requires operators performing services to the Township to file an application and agreement to be kept on file in the office of the Township Clerk.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Clinton, County of Hunterdon, State of New Jersey, that the following operators shall have their contracts renewed for a three year period as follows:

B&B Auto Body            1810 Route 31 North            Clinton, NJ 08809

Action Item #2

Resolution #61-14 – Supporting the continued use of a no passing zone (DOT)

Mayor Cimei introduced the matter. The no passing zone is on Route 31, North of Rt. 513

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

Roll Call:	Councilwoman Switlyk	Yes
	Councilman Mullay	Yes
	Council President Marra	Yes
	Mayor Cimei	Yes

**WHEREAS**, the New Jersey Department of Transportation (NJDOT) recently completed a traffic investigation on Route 31 in Clinton Township; and

**WHEREAS**, the investigation revealed the current centerline pavement markings on Route 31 meet and conform to current design standards; and

**WHEREAS**, NJDOT will update existing records to reflect current No Passing Zone conditions along New Jersey Route 31 in Clinton Township.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Clinton, County of Hunterdon, State of New Jersey that it supports the use of a "No Passing Zone" on Route 31 in Clinton Township as recommended by NJDOT.

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution shall be forwarded to NJDOT as requested.

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Action Item #3

Resolution #62-14 – Approving the hire of personnel for Summer Recreation for 2014

Council President Marra introduced the matter.

MOTION was made by Councilman Mully to adopt the resolution. Seconded by Councilwoman Switlyk. There being no further discussion the roll was called. Motion carried.

Roll Call:	Councilwoman Switlyk	Yes
	Councilman Mully	Yes
	Council President Marra	Yes
	Mayor Cimei	Abstain

**WHEREAS**, there is a need for the Clinton Township Parks and Recreation Department to fill the positions of Adult Coordinators, Counselors, Sr. Counselors, Substitute Counselors, Nurses etc.; and

**WHEREAS**, Recreation Supervisor Tom Silvia has recommended the hiring of the following individuals for these positions, effective on or about June 30, 2014, until August 1, 2014, in accordance with the attached salary schedule.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Clinton, County of Hunterdon, State of New Jersey that the recommendation of the Recreation Supervisor, Tom Silvia be and hereby is accepted and approved that the below individuals be hired as Summer Parks and Recreation summer employees effective on or about June 30, 2014.

**VOUCHERS:**

Council President Marra introduced the matter.

MOTION was offered by Councilwoman Switlyk to approve the check control registers dated May 28, 2014 totaling \$6,679,262.40. Seconded by Councilman Mully. There being no further discussion the roll was called. Motion carried.

Roll Call:	Councilwoman Switlyk	Yes
	Councilman Mully	Yes
	Council President Marra	Yes
	Mayor Cimei	Yes

**PUBLIC COMMENT:**

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**EXECUTIVE SESSION:**  
Resolution #63-14

MOTION was made by Council President Marra to go into executive session. Seconded by Councilwoman Switlyk. There being no further discussion the roll was called. Motion carried.

Roll Call:

Councilwoman Switlyk	Yes
Councilman Mullay	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 public shall be excluded from discussion of and action on a closed session on March 26, 2014
2. The general nature of the subject matter to be discussed is:
  - Matters relative to Affordable Housing
  - Police Department Contract Negotiations
  - Herr – corrective deed of agricultural easement
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.

**RETURN FROM EXECUTIVE SESSION:**

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

MOTION was made by Council President Marra to approve the FOP agreement with the sergeants' new collective bargaining unit. Seconded by Councilwoman Switlyk. There being no further discussion the roll was called. Motion carried.

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Roll Call:	Councilwoman Switlyk	Yes
	Councilman Mullay	Yes
	Council President Marra	Yes
	Mayor Cimei	Yes

**MOTION TO ADJOURN:**

MOTION was offered by Councilwoman Switlyk to adjourn at 8:37 p.m. Seconded by Council President Marra. There being no further discussion a voice vote was called. All ayes. Motion carried.

ATTEST:

  
Carla Conner, Acting Township Clerk

  
A. Kevin Cimei, Mayor

Adopted: July 16, 2014