

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
June 11, 2014

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**TABLE OF CONTENTS**

---

**CALL TO ORDER: Flag Salute: Open Public Meetings Act Statement.....2**

**ROLL CALL: .....2**

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

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

**PUBLIC COMMENTS:.....4**

**OLD BUSINESS: .....4**

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

**REPORTS: .....2**  
    ➤ Directors/Liaisons

**ORDINANCES: .....5**

**RESOLUTIONS: .....11**

**VOUCHERS: .....13**

**PUBLIC COMMENT: .....13**

**EXECUTIVE SESSION: .....14**

**ADJOURN:.....14**

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
June 11, 2014

**CALL TO ORDER:**

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

**OPEN PUBLIC MEETINGS ACT STATEMENT:** Council President Marra 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	Present
Council President Marra	Present
Mayor Cimei	Present
Kristina P. Hadinger, Esq.	Present
Marvin Joss, Administrator	Present
Carla Conner, Acting Township Clerk	Present

**APPROVAL OF MINUTES:**

Regular Session                      May 14, 2014

Mayor Cimei introduced the matter.

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

Roll Call:	Councilwoman Switlyk	Yes
	Councilman Mullay	Yes
	Councilman Imbriaco	Abstain
	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 Councilwoman Switlyk. There being no further discussion the roll was called. Motion carried.

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

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
June 11, 2014

Consent Item #1

Resolution #64-14 – Release of escrow

**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	88.01/5	10 Woodstock Lane	Jean Paul Vincenti	Perf.Guarantee

Consent # 2

Resolution #65-14 – Tax Premium Refunds, Blk 46 Lot 18, Blk 79.02 Lot 5.0704, Blk 16 Lot 45

**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.

<u>Block</u>	<u>Lot</u>	<u>Certificate</u>	<u>Vendor</u>	<u>Premium</u>
46	18	2012-008	TAD DABROWSKI	\$100.00
			329 DURHAM AVE	
			SOUTH PLAINFIELD, NJ 07080	
79.02	5.0704	2013-011	US BANK CUST FOR PRO CAP III LLC	1100.00
			50 S 16 <sup>TH</sup> ST, SUITE 1950	
			PHILADELPHIA, PA 19102	
16	45	2013-001	US BANK CUST FOR PRO CAP III LLC	24000.00
			<b>TOTAL</b>	<b>\$25,200.00</b>

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
June 11, 2014

Consent # 3

Resolution 66-14 – Approval of fireworks at Camp Fatima

**WHEREAS**, Camp Fatima wishes to present a fireworks display; and the specific dates of such display are August 12 and August 20, 2014, with potential rain dates of August 14 and 21, 2014; and

**WHEREAS**, Fire Chief Dave Lunger of the Annandale Hose Company No. 1 has assured there will be coverage at the event as required by law.

**BE IT RESOLVED**, that approval is given by the Mayor and Council of the Township of Clinton for the display of fireworks at Camp Fatima

**BE IT FURTHER RESOLVED**, that approval is subject to all required permits and insurance.

**PUBLIC COMMENTS:**

There were no public comments.

**OLD BUSINESS:**

No old business

**NEW BUSINESS:**

No new business

**REPORTS:**

Councilwoman Switlyk:

Councilwoman Switlyk reported the Board of Health meeting will be held Tuesday, June 17. She further indicated the Clinton Township Board of Education will meet Monday, June 23.

Councilman Mullay:

Councilman Mullay reported that he met Monday, June 9 with some residents of Annandale to discuss ways to improve the Old Municipal Building area. The Planning Board reviewed for conformity to the Master Plan the Bond Ordinance for acquisition of land on the corner of Valley Crest and Rt. 31. The Historic Commission met Wednesday, June 4<sup>th</sup> and discussed potentially expanding the historic district in Hamden.

Councilman Imbriaco:

Councilman Imbriaco reported that the Open Space Advisory Committee met on May 19. On Hackett's Preserve, the back eight acres needs to be brush hogged this year. The Committee will also be submitting to Marvin a list of open space sites that require maintenance that would be paid for through the maintenance portion of the Open Space Tax. Cathy Sipe, Chairperson of the Committee was approached by two land owners who inquired about having their land preserved and

TOWNSHIP OF CLINTON  
 REGULAR COUNCIL MEETING  
 June 11, 2014

may want to sell to the Township. Members of the Committee stated they are opposed to the Township purchasing at the property on Valley Crest and Rt. 31 for COAH housing

Council President Marra:

Council President Marra reminded everyone that Summer Rec. starts June 30 to August 1. The Clinton Township Recreation golf outing is on Monday, September 22, 2014.

Administrator:

Mr. Joss stated he finished second round interviews for the part time construction office position.

The new website is up and functioning well.

**ACTION:**

Resolution 67-14: Increasing the Deferred School Tax

Mayor Cimei introduced the matter, and Ms. Kientz, the CFO explained the resolution.

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

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

**WHEREAS**, the Township Council of the Township of Clinton, County of Hunterdon, State of New Jersey wish to increase the amount of the Township's deferred school tax as promulgated by the Division of Local Government Services, and

**WHEREAS**, the State of New Jersey allows the municipalities to defer up to 50% of the school tax levy.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Clinton, County of Hunterdon, State of New Jersey to increase the Township's deferred school tax, stated as of December 31, 2013, and bringing the percentage to 46.41%, as follows:

	FROM	TO	INCREASE
Local District School	10,000,000.00	10,960,000.00	960,000.00
Regional High School	6,500,000.00	7,040,000.00	540,000.00

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
June 11, 2014

**BE IT FUTHER RESOLVED** that the Township Clerk of the Township of Clinton be directed to file three certified copies of this resolution with the Division of Local Government Services.

**ORDINANCE ADOPTIONS:**

2014 Budget Adoption

Mayor Cimei introduced the matter, and Mr. Joss explained the ordinance.

Mayor Cimei opened the public hearing.

Kathy Daniels of Annandale questioned how the budget translates to property tax obligations.

Administrator Joss explained how the property tax bill is broken down. Only 10% of the taxes go toward municipal purposes. About 70% of the taxes go to the two school districts and 20% goes to the County.

Nick Corcodilos of Old Mountain Rd, stated it is true that Council has no direct involvement in the school budget, but Council can and should use its influence. The Council Liaison should be talking to the schools regularly

MOTION was made by Councilman Mully to adopt the 2014 Budget. Seconded by Councilwoman Switlyk. There being no further discussion the roll was called. Motion carried.

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

Ordinance 1057-14 – 2014 Salary Ordinance, Amending an Ordinance entitled “An Ordinance to Establish Salaries, Wages and Compensation Ranges for Non-contractual Officials and Employees of the Township of Clinton, County of Hunterdon, State of New Jersey.

Mayor Cimei read the ordinance by title, introduced the matter, and Mr. Joss explained the ordinance.

Mayor Cimei opened the public hearing. There being no comment from the public, the public hearing was closed.

TOWNSHIP OF CLINTON  
 REGULAR COUNCIL MEETING  
 June 11, 2014

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

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

BE IT ORDAINED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF CLINTON IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY AS FOLLOWS:

- 1) THAT SECTIONS 4 AND 5 OF THE ORDINANCE, THE TITLE OF WHICH IS RECITED IN THE TITLE OF THIS ORDINANCE, BE AND THE SAME IS HEREBY AMENDED TO READ AS FOLLOWS:

POSITION	MINIMUM	MAXIMUM
Mayor	\$ 3,200	\$ 6,700
Council Members	\$ 2,700	\$ 6,000

\* except that any member of Council may waive in writing, in whole or in part, any compensation not yet processed for payment.

<b>Grade 17:</b> Administrator Administrator / Clerk	\$ 86,200	\$ 126,926
<b>Grade 16:</b> Police Chief	\$ 97,700	\$ 119,700
<b>Grade 15:</b> Police Lieutenant Officer in Charge stipend Police Director	\$ 90,000 \$ 500	\$ 111,559 \$2,000
<b>Grade 14:</b> Construction Code / Subcode Official Public Works Manager Director of Finance (CFO)	\$ 60,000	\$ 96,900
<b>Grade 12:</b> Court Administrator Tax Assessor Recreation Director Municipal Clerk	\$ 50,000	\$ 75,860

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
June 11, 2014

	POSITION	MINIMUM	MAXIMUM
<b>Grade 11:</b>	Acting Municipal Clerk Tax Collector	\$ 45,000	\$ 66,900
<b>Grade 10:</b>	Planning Board / BOA Administrator UCC Code Inspector	\$ 40,000	\$ 61,800
<b>Grade 9:</b>	Zoning Officer	\$ 15,000	\$ 50,400
<b>Grade 8:</b>	Deputy Municipal Clerk Deputy Court Administrator Senior Finance Clerk	\$ 35,800	\$ 53,741
<b>Grade 7:</b>	Administrative Assistant / Secretary Records and Data Administrator Field Inspector/Technical Support Technical Assistant Construction Office	\$ 30,000	\$ 45,300
<b>Grade 6:</b>	Tax Assistant Finance Clerk Violations Clerk-Court Recreation Coordinator Board of Health Secretary/Admin. Asst.	\$ 28,000	\$ 43,388
<b>Grade 5:</b>	Administrative Receptionist / Secretary	\$ 26,800	\$ 34,100
<b>Hourly:</b>		\$ 7.25	\$ 50.00
<b>Part Time:</b>		\$ 15,000	\$ 40,000
	Clerical, Secretarial, Sub Code Officials, Fire Safety Inspectors, UCC Code Inspector, Police Officers, Special Police Officers, Building Maintenance, Janitorial, Grounds Maintenance, Truck Drivers, General Laborer, Dog Canvasser, Recreation Department staff, Tax Assessment Field Inspector, Recording Secretary/ Stenographer		

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
June 11, 2014

**Salaried:**

<b>Part Time:</b>	Municipal Court Judge	\$ 15,000	\$ 40,000
	Prosecutor	15,000	42,840
	Public Defender	2,000	15,000

**Seasonal:**

	Summer Recreation Director	\$ 5,000	\$ 7,000
	Teachers/Coordinators	\$ 1,000	\$ 2,000
	Nurse	\$ 1,500	\$ 2,000
	Senior Counselors	\$ 500	\$ 1,500
	Counselors	\$ 500	\$ 1,000
	Substitute Counselors	\$ 500	\$ 1,000

- 2) THE WITHIN ORDINANCE SHALL TAKE EFFECT UPON ADOPTION AND PUBLICATION IN ACCORDANCE WITH NEW JERSEY LAW.

Ordinance 1056-14 – Bond Ordinance Providing for the Acquisition of an Initial Option to Acquire and Subsequently (Subject to Certain Preconditions) Deed Title to, an Approximate 28 – Acre Tract of Land for Use in Connection with a Future Affordable Housing Project, in Partial Satisfaction of COAH Requirements, in and by the Township of Clinton, in the County of Hunterdon, New Jersey, Appropriating \$1,210,000 Therefore and Authorizing the Issuance of \$1,151,500 Bonds or Notes of the Township to Finance Part of the Cost Thereof.

Mayor Cimei read the ordinance by title and introduced the matter. Acting Township Clerk read a letter from the Planning Board with regard to its favorable review of the Capital Improvement Project.

Mayor Cimei explained the ordinance and opened the public hearing. Mayor Cimei stated that affordable housing obligations are established by the State, through COAH. The Township is looking at ways to complete its obligations by itself because the alternatives would involve developers suing and getting a 10-1 market-to-affordable base. Council believes it will be less burdensome on the Township if it does the work itself.

The Township’s special affordable housing planning consultant, Joe Burgis of Burgis Associates spoke. He stated that affordable housing has been determined to be a constitutional obligation. He gave a summary of the new proposed COAH regulations. COAH requires every municipality to provide low and moderate income housing. COAH published its new set of regulations on June 2, 2014 which will be adopted on November 17, 2014. The Township must prepare a new housing plan, by May 17, 2015. The Township must file before that date to be protected from Builders Remedy litigation. COAH has broken down municipalities’ obligations in three ways: rehabilitation obligation, which is a 27 unit obligation, unanswered prior round obligation from 1987 to 2014, which is 65 units, and the future obligation from 2014 to 2024 which is 130 units. These numbers assume the Township will opt into the Highlands.

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
June 11, 2014

John Higgins stated that the situation is complicated, and there are a plethora of regulations that apply. He explained the cost of a sewerage system on the Windy Acres site where there is no public sewer connection was estimated to be 2.5 million dollars and that it would take about 5 years to build and permit. He also discussed the possibility of obtaining sewer from the RLSA and stated that there is litigation over the ability to obtain capacity in that plant, whereas the Church property is close to both public water and sewer. He felt that the church property was superior to Windy Acres from a cost perspective and that it has some other unique advantages.

Nick Corcodilos of Old Mountain Road thanked the Township for taking up the matter. He questioned why the 2010 plan of 124 units on Windy Acres was not built yet. He supports the church site.

Robert LeCompte of Old Allerton Road owns the adjacent farmland and opposes the ordinance.

Spencer Peck of Woods Road commented that the Township should be paying off debt not incurring debt. He thinks the Township is in good shape as far as COAH is concerned.

Jordan Guenther of Valley Crest Road questioned if the Township has looked at acquiring sewerage from other municipalities or developers. He said some towns had been successful going to court to sue to gain capacity for affordable COAH projects. Mr. Guenther would like to see COAH built throughout the Township properties and not on one spot.

Arne Olson of Beaver Brook questioned since the Township is pressed to meet the obligation for sewerage on 195 units how can a builder build 2000 units with regards to a builder's challenge.

William Caldwell, attorney for Robert LeCompte commented that a sewerage plant is scalable if the Township built 60 units on the Marookian property and 75 units on Windy Acres, and the cost of the sewer plant would not be \$2.3 million. Less units means less cost. Regarding the Marookian property, the Township can swap new preserved land for currently preserved land to build more units on Marookian since there is water and sewerage available there.

Wayne Ingram, Engineer for Robert LeCompte recommended that there is potential to build 60 units on 6 acres on the Marookian property since there is public sewer and water adjacent. 75 units can be built on Windy Acres since the onsite sewerage option is not as expensive for only 75 units. Mr. Ingram stated that Readington should be questioned about expanding their own plant for Windy Acres. Mr. Ingram stated the Township would need to create variances for the Church property, and therefore we should not pay as much.

Howard Dreskin of Allerton Road stated he agrees with buying the Church property and would like to see a mixture of affordable housing in our Township. Mr. Dreskin also stated that for people who want to live in this area and cannot afford it, this would be a great idea.

Michelle Anderson of Allerton Road wanted a quick explanation on why the Township didn't transfer our COAH obligations to another municipality. Ms. Anderson also questioned why the original 64 units were not passed to a more urban area. Township Attorney Hadinger explained the Roberts Bill A500 which was passed in 2008 established that municipalities can no longer have

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
June 11, 2014

Regional Contributions Agreements (RCA) and transfer these obligation to another town. Before this law, the Township did RCA agreements with Perth Amboy.

Cathy Sipe, Chairperson of the Open Space Committee stated Open Space and the Environmental Commission are concerned about the environmental constraints to build affordable housing on the Church property and Windy Acres.

Robert LeCompte said he now has an offer in to purchase the Church property. If he purchases the Church property he said he would look to preserve it.

Nick Corcodilos wanted the Council to explain the bond process if it was approved tonight. Township Attorney Hadinger explained the process.

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

Roll Call:	Councilwoman Switlyk	Yes
	Councilman Mullay	Yes
	Councilman Imbriaco	No
	Council President Marra	No
	Mayor Cimei	Yes

Ordinance was not adopted, as a super majority of 4 votes was necessary.

**RESOLUTIONS:**

**Action Item #1**

**Resolution #68-14 – 2014 Salary Resolution**

Mayor Cimei introduced the matter, and Mr. Joss explained that this resolution formalizes the salaries for 2014 that are included in the 2014 budget that was just adopted.

MOTION was made by Councilman Imbriaco 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
	Councilman Imbriaco	Yes
	Council President Marra	Yes
	Mayor Cimei	Yes

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
June 11, 2014

**BE IT RESOLVED, by the Mayor and Township Council of the Township of Clinton that the salaries of the following non-contract employees are listed below for the entire calendar year of 2014, unless otherwise specified.**

NAME	GRADE	POSITION	2014
Budrewicz, Jennifer	8	Deputy Court Administrator	53,741
Carasio, Al		P/T Special Officer	18.73/hr
Centofanti, Patricia	11	Tax Collector	62,983
Charters, Erica		Clerical/Hourly/PT	14.28/hr *
Cimei, Kevin		Mayor	3,303
Conner, Carla	6	BOH Secretary, Registrar	32,844*
D'Alleinne, Rebecca	10	Planning Board, BOA Admin.	55,463
DeMarco, Carol	6	Tax Assistant	43,388
Dominijanni, Debbie	8	Senior Finance Clerk	45,292
Filardo, Denise	6	Recreation Coordinator, Programs	36,503
Gimson, Richard		P/T Special Officer	18.21
Howell, Terri	7	Technical Assistant (TACO)	43,652
Imbriaco, James		Councilman	2,821
Joss, Marvin	17	Administrator	126,927
Kientz, Kimberly	14	Chief Finance Officer (CFO)	96,900
Lorenz, Lynn	12	Court Administrator	73,523
Marino, Kimberly	6	Violations Clerk	32,640
Marra, Peter		Councilman	2,821
Meixsell, Claude	14	Public Works Manager	79,860
Mitzner, Scott		Public Defender (Part Time)	650.00/session

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
June 11, 2014

Moscatiello, Harry		UCC Code Inspector	30.60/hr
Mullay, Brian		Councilman	2,821
Rossi, Joseph		UCC Code Inspector	31.57/hr
Silvia, Thomas	12	Recreation Director	65,450
Switlyk, Amy		Councilwoman	2,821
Ward, Jeff	12	Tax Assessor	75,859
Warnebold, Hans		P/T Building Inspector	36.41/hr
Will, Steve	5	Recreation Secretary / Bookkeeper	18.33/hr
Wright, Michael	14	Construction Code Official / Subcode	85,732
Yotkowski, Julia		Police & Court (PT)	14.04/hr

**\*Those marked with an asterisk are the 2014 salaries through May 31, 2014. They received a change in title and salary effective June 1, 2014 via a previously approved resolution.**

**VOUCHERS:**

Mayor Cimei introduced the matter.

MOTION was offered by Councilman Imbriaco to approve the check control registers dated June 11, 2014 totaling \$488,022.35. Seconded by Councilwoman Switlyk. There being no further discussion the roll was called. Motion carried.

Roll Call:

Councilwoman Switlyk	Yes
Councilman Mullay	Yes
Councilman Imbriaco	Yes
Council President Marra	Yes
Mayor Cimei	Yes

**PUBLIC COMMENT:**

Nick Corcodilos directed comments to Councilman Imbriaco and Council President Marra regarding Windy Acres. Mr. Imbriaco and Mr. Marra felt that although no units have been built in the past 6 years, they and Council have been working to achieve the construction of the units. They pointed out to Mr. Corcodilos that during his 3 years as Mayor, no units were built either.

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
June 11, 2014

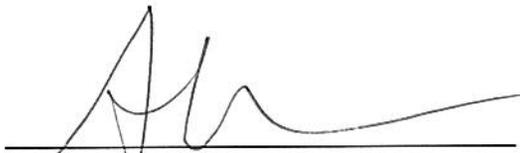
**EXECUTIVE SESSION:**

**MOTION TO ADJOURN:**

MOTION was offered by Councilwoman Switlyk to adjourn at 10:42 p.m. Seconded by Councilman Mullay. 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: August 13, 2014