

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
November 12, 2014

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**TABLE OF CONTENTS**

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

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

**OATH OF OFFICE:** .....

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

**CONSENT:**.....3

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

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

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

**ORDINANCE INTRODUCTION:** .....5

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

**VOUCHERS:** .....14

**PUBLIC COMMENT:** .....14

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

**ADJOURN:**.....15

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
November 12, 2014

**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	Present
Council President Marra	Present (arrived at 7:35)
Mayor Cimei	Present
Kristina P. Hadinger, Esq.	Present
Marvin Joss, Administrator	Present
Carla Conner, Acting Township Clerk	Present

**SWEARING IN OF POLICE OFFICER BRIAN DICKSON:**

Officer Brian Dickson was sworn into office as a Probationary Police Officer by Mayor Cimei.

**APPROVAL OF MINUTES:**

Executive Session	October 8, 2014
Executive Session	October 22, 2014

Mayor Cimei introduced the matter.

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

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
November 12, 2014

**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 Mullay. 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

Consent #1

Resolution #104-14 – 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
\$10,558.02	13/3	11 Spencer Lane	97 Spencer Lane	Performance Guar.
\$1,000.00	13/9,10,11,11.01	111 Cokesbury Road	Woodmont Industries	Escrow
\$806.00	90/17.10	10 Cider Mill Rd	Doug&Maria Bressette	Escrow

Consent #2

Resolution #105-14 – Tax Premium Refund, Block 82.13 Lot 57.1804

**WHEREAS**, on properties located within the Township of Clinton, an overpayment of real estate taxes has been made; and

**WHEREAS**, applications have been made to the Tax Collector for refunds of said overpayments, totaling \$2016.10; and

**WHEREAS**, the attached listing is a detail of the requested refunds.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Clinton that the Tax Collector is hereby authorized to refund such taxes to the parties in the amounts specified on the listing below.

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
November 12, 2014

VENDOR	BLOCK	LOT	LOCATION	Quarter	AMOUNT
KERIELLEN MACK	82.13	57.1804	44 MEADOWVIEW DR	2007/4	1116.15
47 OLD STONEHOUSE RD				2013/4	899.95
BEDMINSTER, NJ 07921					
<b>TOTAL REFUND</b>					<b>\$2016.10</b>

Consent #3

Resolution #106-14 – Tax Premium Refund, Block 82.03 Lot 8

**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.

Block	Lot	Certificate	Vendor	Premium
82.03	8	2013-012	US BANK AS CUSTODIAN FOR: BLUE VIRGO CAPITAL MANAGEMENT	\$200.00
			ATTN: TAX LIEN SERVICES GROUP	
			2 LIBERTY PLACE	
			50 SOUTH 16 <sup>TH</sup> STREET-SUITE 1950	
			PHILADELPHIA, PA 19102	
			50 S 16 <sup>TH</sup> ST, SUITE 1950	
			PHILADELPHIA, PA 19102	
			<b>TOTAL</b>	<b>\$200.00</b>

Consent #4

Resolution #107-14 – Amending Resolution #98-14 to Correct Name from Klara Properties to Tri-Urban, LLC

**BE IT RESOLVED** that Resolution #98-14 adopted October 22, 2014 is amended to correct the identity of the “Applicant” as Tri-Urban rather than Klara Properties.

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
November 12, 2014

**PUBLIC COMMENT:**

There was no public comment

**OLD BUSINESS:**

1. COAH Update

Township Planners Joe Burgis and Tony Somers from Burgis Associates presented what the Township's obligation is per COAH's draft rules: rehabilitation obligation is 27 units, unanswered prior round obligation is 64 units and the Township's obligation from 2014 to 2024 is an additional 131 units provided the Township opts into the Highlands program. Mr. Burgis also explained Hunterdon County's median income and how that affects the income levels of who is eligible to apply for affordable housing. Mr. Somers gave a presentation on the potential rehabilitation of the old Municipal Building on West Street in regards to affordable housing. To be economically feasible they believe the site should be designated as an area in need of redevelopment. The building would consist of two stories and can house a total of 14 total units. The first floor would accommodate five two-bedrooms units, and one three-bedrooms units;the second floor three one-bedroom units, three two-bedrooms units and two three- bedrooms unit. Two or three of the units could be COAH qualified affordable housing. It could accommodate as many as 32 parking spaces and a public recreation facility in the rear of the building. The front portion of the building which is historical, would have to remain. The remaining could be knocked down and rebuilt. Mayor Cimei questioned setting aside ten percent of the affordable housing units and making the rest market rate units. Mr. Burgis stated that would make the plan more attractive to developers. The Council directed the Township Attorney to prepare the necessary resolution for the next Council meeting to initiate the redevelopment designation and Planning Board investigation.

**REPORTS:**

Councilwoman Switlyk:

Councilwoman Switlyk stated on Monday, October 27, the Board of Education held interviews for the vacated seat. The Board of Education name Maria McHugh as the replacement. Marie Grant and Sue Vanderoef won three-year seats in the School Board elections. Maria McHugh was declared the winner of the third open seat by write-ins. The Board of Education conducted a demographic study. The 52 page study is located on the School District's website. Due to the study, the Board of Education has formed an Ad Hoc committee to discuss the potential of closing one of the schools in the district and considering the full time kindergarten issue. Board of Health cancelled its meeting for November.

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
November 12, 2014

Councilman Mullay:

Councilman Mullay stated the Planning Board met Monday, November 3 and approved changes for the Goddard School. The Historic Commission met Wednesday, November 5. The October walk through the Annandale village was cancelled due to rain. DPW has not had the chance to board up the loading bay at the old municipal building, but will do so after leaf pickup.

Councilman Imbriaco:

Councilman Imbriaco stated that the Environmental Commission met on Thursday, November 6 and discussed in detail the construction of trails on the Windy Acre site. The Environmental Commission will be meeting at Windy Acres on December 6 to start trail delineation. The Open Space Committee will be helping with this.

Council President Marra:

Council President Marra stated the Recreation Committee will be meeting this month to discuss the construction of a pole barn for additional storage.

Marvin Joss:

Administrator Joss stated the Marookian appraisals came in. Hunterdon County is putting together an RFP for an Animal Control Officer for municipalities that sign up to share. The Township will take advantage of this if it will save us money as opposed to our current Animal Control contract. The Township completed the State's Best Practices survey and had a passing grade, assuring us of 100% of our allocated State Aid in 2015. DPW is finishing leaf pick up. The Finance Committee is starting to take a look at next year's budget. The auto mechanic for DPW has returned to work. The Township will be having a municipal excess property auction the first week in December.

**RESOLUTIONS:**

Action Item #2

Resolution #108-14 – Approving resolution to purchase rock salt

Mayor Cimei introduced the matter.

MOTION was offered by Council President Marra to approve the resolution. 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	Yes

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
November 12, 2014

Council President Marra	Yes
Mayor Cimei	Yes

**WHEREAS**, the Township of Clinton finds a need to purchase road rock salt to be used by the Department of Public Works, and

**WHEREAS**, the Township belongs to the Hunterdon County Purchasing Co-op and said salt is available for purchase through the Co-op, as a result of a public bidding process conducted by the Co-op under contract number 51-HCCPS and

**WHEREAS**, the successful bidder was Atlantic Salt at a price of \$68.00 per ton;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Township of Clinton, County of Hunterdon, State of New Jersey, that the Public Works Director is hereby authorized to purchase Rock Salt through contract 51-HCCPS at a total cost not to exceed \$100,000

Action Item #2

Resolution #109-14 – Authorizing surplus property to be auctioned

Mayor Cimei introduced the matter. Administrator Joss explained the matter.

MOTION was offered by Council President Marra to approve the resolution. 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	Yes
	Council President Marra	Yes
	Mayor Cimei	Yes

**WHEREAS**, the Township of Clinton is the owner of certain surplus property which is no longer needed for public use; and

**WHEREAS**, the Governing Body is desirous of selling said surplus property in an “as is” condition without express or implied warranties.

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

(1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-83453/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Township Municipal Clerk’s office.

(2) The sale will be conducted online and the address of the auction site is govdeals.com.

(3) The sale is being conducted pursuant to Local Finance Notice 2008-9.

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
November 12, 2014

(4) A list of the surplus property to be sold is as follows:

2014/2015 Auction Vehicles

Year	Make/Model	Vin #	General Condition
1997	Crown Vic.	2FALP71WXVX213766	
2000	Crown Vic.	2FAFP71WXYX136656	Rusty Frame
2002	Dodge Durango	1B4HS48NX2F210638	
2002	Jeep Liberty	1J4GL48K02W314213	needs exhaust system, oil leak
2003	Dodge Neon	1B3ES26C13D222963	
2003	Dodge Durango	1D4H548N63F595162	Knock/Engine Trouble
2004	Crown Vic.	2FAHP71W24X143538	
2004	Crown Vic.	2FAHP71W14X114127	Scrap yard? Been through 2 auctions
2004	Dodge Durango	1D4HB48N04F141306	Bad Engine
2005	Crown Vic.	2FAHP71W05x106277	
2006	Crown Vic.	2FAHP71W26X106766	
2006	Crown Vic.	2FAHP71W46X106767	Missing steering linkage/Lights
2007	Crown Vic.	2FAFP71W07X144943	
2007	Crown Vic.	2FAHP71W67X128965	
2007	Chevy Malibu	1G1ZS58N37F275621	Bad Engine
2009	Dodge Charger	2B3KA43T79H512903	Valve tap engine trouble
1988	International S1800	1HTLFTVNXJH553892	4wd/Rusted/Doesn't run
1989	International S1900	1HTLDTVR5KH675960	Rust
1990	International 4900 Series	1HTSDTVR9LH234510	No Fuel tank No hydrolics
1992	International 4900 Series	1HTSDPBR6NH401680	Rust
1985	ALC14 Leaf Machine	W-8-54924985	No arm No engine
	Onan 45 Gen Set	J850780948	745 Hrs used
	Onan 55 Gen Set	F850766905	873 Hrs used
	x Mark Laser Z L225		
	KC603 - Mower	142096	60 inch deck
	Kubota ZD28 - Mower	56073	
	x Mark Laser Z L225 - Mower		72 inch deck

(5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

(6) The Township of Clinton reserves the right to accept or reject any bid submitted.

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
November 12, 2014

Action Item #3

Resolution #110-14 – Appointing Marie Pardo as Chief Financial Officer

Mayor Cimei introduced the matter. Administrator Joss explained the matter.

MOTION was offered by Councilman Imbriaco to approve the resolution. Seconded by Councilman Mullay. 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

**WHEREAS**, The Township of Clinton has a vacancy in the position of Chief Financial Officer (CFO) due to the resignation of our previous CFO, and;

**WHEREAS**, pursuant to N.J.S.A 40A:9-140.10, every municipality is required to have a Chief Financial Officer, and pursuant to N.J.S.A. 40A:9-140.13 anyone appointed to the position of Chief Financial Officer must be duly licensed by the State of New Jersey and hold a Municipal Finance Officer Certificate, and;

**WHEREAS**, the Township Administrator has advertised for the position of CFO, and has interviewed candidates for the position and does hereby recommend that the Governing Body appoint Marie Pardo to the position of CFO, at an annual salary of \$97,500 and;

**WHEREAS**, pursuant to N.J.S.A. 40A:9-140.10 the appointment shall be for a term of 4 years, which shall commence from January 1 of the year in which the appointment is made, so in this case the term shall commence January 1, 2014, with an employment start date of November 13, 2014, and;

**WHEREAS**, from November 13, 2014 through the end of 2014, Ms. Pardo shall be authorized to work part time only, with no benefits, at a maximum of 27 hours per week, and a prorated hourly salary of \$46.88 per hour, and;

**WHEREAS**, effective January 1, 2015, Ms. Pardo shall automatically be converted to a full time employee with benefits as provided to other full time employees, with the exception of vacation days, which shall be granted as 15 days per year commencing in 2015.

**NOW THEREFORE, BE IT RESOLVED**, by the Governing Body of the Township of Clinton, in the County of Hunterdon, State of New Jersey, that Marie Pardo is hereby appointed to the position of Chief Financial Officer effective November 13, 2014 at the terms described herein.

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
November 12, 2014

Action Item #4

Resolution #111-14 – Amending Resolution #55-14 – Towing Operators, omitting Stew’s Towing from towing list

Mayor Cimei introduced the matter.

MOTION was offered by Councilman Imbriaco to approve 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

**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:

- |                          |                        |                              |
|--------------------------|------------------------|------------------------------|
| 1. East Side Service     | 70 Washington Avenue   | High Bridge, NJ 08829        |
| 2. Superior Towing       | P.O. Box 43            | Whitehouse Station, NJ 08889 |
| 3. J&D Auto Body         | 259 Route 31           | Washington, NJ 07882         |
| 4. Somerset Hills Towing | 10 W. Chimney Rock Rd. | Bound Brook, NJ 08805        |

Action Item #5

Resolution #112-14 – Improvements to Cratetown Road, amending the contract amount based on correction made by Hatch Mott MacDonald

MOTION was offered by Councilman Imbriaco to approve 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
	Councilman Imbriaco	Yes
	Council President Marra	Yes
	Mayor Cimei	Yes

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
November 12, 2014

**WHEREAS**, by Resolution #96-14 duly adopted by the Mayor and Council at its meeting on October 8, 2014, the Township of Clinton awarded a contract to Glen G. Hale, Inc. d/b/a Hale Built, 3511 Glover Road, Easton, PA 18040, for the Cratetown Road Improvements, in the total contract amount of \$451,933.00; and

**WHEREAS**, it appears that Glen G. Hale, Inc. made minor computational errors on its Bid Proposal Form, resulting in the need to increase the total contract amount from \$451,933.00 to \$452,033.00; and

**WHEREAS**, the corrected contract amount does not impact the designation of Glen G. Hale, Inc. as the lowest responsible and responsive bidder, and the Township seeks to ensure that the as-awarded contract amount correctly reflects the bid amount submitted by Glen G. Hale, as corrected; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available in the capital improvement fund for this purpose.

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

1. The above preamble is incorporated herein as if set forth at length.
2. The Mayor and Clerk are hereby authorized and directed to execute an agreement with **Glen G. Hale, Inc. d/b/a Hale Built, 3511 Glover Road, Easton, PA 18040** for the **Cratetown Road Improvements**, in the total contract amount of **\$452,033.00**. The Mayor, Clerk and members of staff are authorized and directed to undertake such action as may be necessary to effectuate the corrected contract amount set forth herein.
3. A copy of this Resolution, and the executed Agreement shall be placed on file in the office of the Township Clerk.

**VOUCHERS:**

Mayor Cimei introduced the matter.

MOTION was offered by Councilman Mullay to approve the check control registers dated November 12, 2014 totaling \$285,885.09. Seconded by Council President Marra. 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  
November 12, 2014

**PUBLIC COMMENT:**

Dan McTiernan of Clinton asked Joe Burgis to explain what methodology is used to price COAH units. Joe Burgis explained that he believes it is 28% of your income if you qualify. Mr. McTiernan also asked what is the process to sign up for affordable housing. Mr. Burgis explained that the individual is put on a list and then is interviewed and finances are investigated and verified. Attorney Hadinger explained that it is often a lottery process since there can be more applicants than units.

Catherine Riihimaki of Annandale questioned if there are any other concepts for the old Municipal Building and if the building will have to be only COAH units. Joe Burgis stated this concept is the only one they have worked on. Mayor Cimei mentioned other concepts that have been considered for the site.

Elizabeth Jacobson of Annandale questioned if the units being redeveloped have to be residential or can the units be used as artist studios as well. She explained that she has seen that in other States.

**EXECUTIVE SESSION:**

Resolution #113-14

MOTION was made by Council President Marra to go into executive session. Seconded by Councilman Mullay. 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

**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 November 12, 2014
2. The general nature of the subject matter to be discussed is as follows:  
Litigation, potential acquisition of real property with public funds, and advice of counsel, all with respect to affordable housing/COAH matters.

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
November 12, 2014

4. No action will be taken in closed session

**RETURN FROM EXECUTIVE SESSION:**

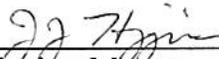
MOTION was made by Council President Marra to return from executive session. Seconded by Councilwoman Switlyk. There being no further discussion a voice vote was called. All ayes. Motion carried.

**MOTION TO ADJOURN:**

MOTION was offered by Councilwoman Switlyk to adjourn at 9:24 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

  
John Higgins, Mayor

Adopted: January 7, 2015