

TOWNSHIP OF CLINTON
REGULAR COUNCIL MEETING
January 21, 2015

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CALL TO ORDER:

Mayor Higgins called the meeting to order at 7:32 PM.

OPEN PUBLIC MEETINGS ACT STATEMENT: Mayor Higgins 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	Absent
Councilman Imbriaco	Absent
Councilman Marra	Present
Council President Mullay	Present
Mayor Higgins	Present
Kristina P. Hadinger, Esq.	Present
Marvin Joss, Administrator	Present
Carla Conner, Acting Township Clerk	Present

APPROVAL OF MINUTES:

Executive Session November 12, 2014

Mayor Higgins introduced the matter.

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

Roll Call:	Councilman Marra	Yes
	Councilman President Mullay	Yes
	Mayor Higgins	Abstain

CONSENT:

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

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

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Roll Call:	Councilman Marra	Yes
	Councilman President Mullay	Yes
	Mayor Higgins	Yes

Consent #1

Resolution #22-15 – 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	34.01/2	52 Herman Thau Rd	Jeff Mahoney	Performance Guar.
\$ 272.70	34.01/2	52 Herman Thau Rd	Levco Pools	Escrow

Consent #2

Resolution #23-15 – Release of Performance Bond, Block 13 Lot 3

WHEREAS, a request has been received from 97 Spencer Lane LLC, for the release of a performance bond, and

WHEREAS, Township Engineer, Cathleen Marcelli certifies that the status of the project has been reviewed, and that the existing performance bond in the amount of \$95,022.18 may be released.

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 Township Engineer, Cathleen Marcelli, be and hereby is accepted and approved and the above mentioned performance bonds shall be released as listed above, upon receipt of a maintenance bond in the amount of \$13,197.53

Consent #3

Resolution #24-15 – Tax Premium Refund, Block 60 Lot 43

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

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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>
60	43	2014-004	US BANK CUST BV001 TRST & CRDTRS	\$16,700.00
			50 S 16 TH ST. SUITE 2050	
			PHILADELPHIA, PA 19102	
			TOTAL	\$16,700.00

PUBLIC COMMENTS:

There was no public comment.

NEW BUSINESS:

Pursuant to his authority, the Mayor has made the following appointment:

1. Richard Scheick, is appointed to the Planning Board Committee, Class 2 member, Seat 2, 1 year term, expires 12/31/15
2. Sandra Butcher is appointed to the Planning Board Committee, Alt. 2, 2 year term, expires 12/31/15

OLD BUSINESS:

Council President Mullay stated that the Planning Board met and heard a presentation from the COAH Planner, Joe Burgis regarding designating the Old Municipal Building as a area of redevelopment and it was determined that the presentation was sufficient to authorized Joe Burgis to begin the process of preparing a report. The Planning Board can act on it in the future after a public

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hearing to recommend such a designation to the Governing Body. Mayor Higgins stated it should be on the Planning Board's February 2 agenda.

REPORTS:

Councilwoman Switlyk:

Mayor Higgins delivered Councilwoman Switlyk's report regarding the school board. Councilwoman Switlyk attended the January 5 Reorganization Meeting for the Board of Education. Maria Grant and Maria McHugh were given the Oath of Office for their three year terms. Susan Vanderhoff will be sworn in January 26. Maria Grant was elected Board President. The Kindergarten Ad Hoc Committee presented its research for full day kindergarten. The committee consisted of 10 individuals including Melissa Goad, Mary Postma, JoAnne Filus. Rachel McGlauglin presented the findings. The Board of Education will be voting on full day Kindergarten on January 26.

Council President Mullay:

Council President Mullay stated that at the Sewerage Authority meeting its budget was adopted. The Sewerage Authority increased its connection fees.

RESOLUTIONS:

Action Item #1

Resolution #25-15 – Approval of Interlocal Agreement with Union Township for Court Service

Mayor Higgins introduced the matter. Administrator Joss explained the Resolution.

MOTION was offered by Mayor Higgins to approve the resolution. Seconded by Councilman Marra. There being no further discussion the roll was called. Motion carried.

Roll Call:	Councilman Marra	Yes
	Council President Mullay	Yes
	Mayor Higgins	Yes

WHEREAS, Union Township and Clinton Township desire to renew their agreement for the sharing of facilities, personnel and resources by their respective municipal courts, as authorized by N.J.S.A. 2B:12-1.c.; and

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WHEREAS, Union Township and Clinton Township originally entered into an Shared Services Agreement in 2008 and subsequently renewed through 2014, providing for shared courts, to be located in the Clinton Township Public Safety Building, 1370 Route 31 North, Annandale, NJ 08801, and both Union Township and Clinton Township have realized significant cost savings through the operation of their shared municipal courts; and

WHEREAS, the operation of said shared municipal courts has been in all other respects satisfactory and acceptable; and

WHEREAS, after good faith negotiations between Union Township and Clinton Township, the Township of Union has approved and signed a new Shared Services Agreement for the sharing of facilities, personnel and resources by the municipal courts of Union Township and Clinton Township,

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

1. The 2015 Shared Services Agreement for Shared Municipal Courts (pursuant to N.J.S.A. 2B:12-1.c.) between the Township of Clinton and the Township of Union, to provide for the Sharing of Facilities, Personnel and Resources By their Municipal Courts, _____ is hereby approved, and the Mayor and Township Clerk are hereby authorized to execute same, and to forward to the Assignment Judge and Municipal Division Manager of Vicinage 13 of the Superior Court an original fully signed copy of said Agreement, together with a certified copy of this resolution, who will thereafter, through the Municipal Division Manager, provide a copy to the Administrative Office of the Courts for processing;
2. Approval of said agreement shall be subject and contingent upon approval by the Assignment Judge of Vicinage 13 of the Superior Court of New Jersey, and such other approvals as may be required by law.
3. A copy of the Shared Services Contract shall be on file in the office of the Township Clerk for inspection by the public.
4. This resolution shall take effect immediately.

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Action Item #2

Resolution #26-15 – Appointing Dan Niro as Plumbing Subcode Official

Mayor Higgins introduced the matter. Administrator Joss explained the Resolution.

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

Roll Call:	Councilman Marra	Yes
	Council President Mullay	Yes
	Mayor Higgins	Yes

WHEREAS, a vacancy exists in the Construction Official's office in the position of Plumbing Subcode Official, and;

WHEREAS, after conducting an appropriate search, and interviewing candidates, the Township Administrator believes that Dan Niro has the needed experience and qualifications for the position.

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Clinton, County of Hunterdon, State of New Jersey, that pursuant to N.J.S.A. 52:27D-126, Mr. Niro be appointed as Plumbing Subcode Official for a 4 year term, effective January 22, 2015, and;

BE IT FURTHER RESOLVED, that Mr. Niro shall be paid at an annual salary of \$18,000 with a work schedule of 10 to 12 hours per week, worked over the course of at least 2 days per week, and as a part time employee, shall not be entitled to health benefits.

VOUCHERS:

Mayor Higgins introduced the matter.

MOTION was offered by Council President Mullay to approve the check control registers dated January 21, 2015 totaling \$593,714.59. Seconded by Councilman Marra. There being no further discussion the roll was called. Motion carried.

Roll Call:	Councilman Marra	Yes
	Council President Mullay	Yes
	Mayor Higgins	Yes

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PUBLIC COMMENT:

There was no public comment.

EXECUTIVE SESSION:

Resolution #27-15

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

Roll Call:	Councilman Marra	Yes
	Council President Mullay	Yes
	Mayor Higgins	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 January 21, 2015. The general nature of the subject matter to be discussed is as follows:
 - Advice of Counsel with respect to Affordable Housing/COAH matters and pending litigation.
2. It is unknown precisely when, if ever, the matters discussed in this closed session may be disclosed to the public.
3. Matters involving the issue may be announced upon the conclusion of any trial or settlement of the litigation.
4. No action will be taken in closed session

RETURN FROM EXECUTIVE SESSION:

MOTION was made by Mayor Higgins to return from executive session. Seconded by Councilman Marra. There being no further discussion a voice vote was called. All ayes. Motion carried.

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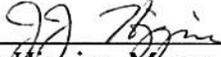
MOTION TO ADJOURN:

MOTION was offered by Councilman Marra to adjourn at 8:40 p.m. Seconded by Council President Mully. There being no further discussion a voice vote was called. All ayes. Motion carried.

ATTEST:



Carla Conner, Acting Township Clerk



John Higgins, Mayor

Adopted: February 25, 2015