

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
February 11, 2015

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**TABLE OF CONTENTS**

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<b>CALL TO ORDER:</b> Flag Salute: Open Public Meetings Act Statement.....	2
<b>ROLL CALL:</b> .....	2
<b>OATH OF OFFICE:</b> .....	2
<b>APPROVAL OF MINUTES:</b> .....	2
<b>PUBLIC COMMENTS:</b> .....	3
<b>NEW BUSINESS:</b> .....	3
<b>OLD BUSINESS:</b> .....	4
<b>REPORTS:</b> .....	4
<b>RESOLUTIONS:</b> .....	6
<b>VOUCHERS:</b> .....	7
<b>PUBLIC COMMENT:</b> .....	8
<b>ADJOURN:</b> .....	8

TOWNSHIP OF CLINTON  
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February 11, 2015

**CALL TO ORDER:**

Mayor Higgins called the meeting to order at 7:31 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	Present
Councilman Imbriaco	Absent (arrived 7:32)
Councilman Marra	Absent (arrived 7:33)
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:**

Regular Session                      December 10, 2014

Mayor Higgins introduced the matter.

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

**Roll Call:**

Councilwoman Switlyk	Yes
Councilman Imbriaco	Yes
Councilman Marra	Yes
Councilman President Mullay	Yes
Mayor Higgins	Abstain

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
February 11, 2015

Reorganization Minutes                      January 7, 2015

Mayor Higgins introduced the matter.

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

Roll Call:

Councilwoman Switlyk	Yes
Councilman Imbriaco	Abstain
Councilman Marra	Yes
Councilman President Mullay	Yes
Mayor Higgins	Yes

Executive Session                              January 7, 2015

Mayor Higgins introduced the matter.

MOTION was made by Councilman Marra to approve the above-referenced minutes. Seconded by Councilwoman Switlyk. There being no further discussion the roll was called. Motion carried.

Roll Call:

Councilwoman Switlyk	Yes
Councilman Imbriaco	Abstain
Councilman Marra	Yes
Councilman President Mullay	Yes
Mayor Higgins	Yes

**PUBLIC COMMENT:**

There was no public comment.

**NEW BUSINESS:**

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

1. Dean Ippolito, is appointed to the Recreation Committee Alt. 1, 3 year term, expires 12/31/17.

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
February 11, 2015

2. Building Department Fees & CCO Ordinance Change Discussion

Mayor Higgins explained the Ordinance regarding CCO's in the Building Department. The Mayor explained that he took a look at many other municipal codes and most towns do not do CCO inspections prior to a resale. It is more common in urban areas. The Mayor believes it is a burden on homeowners and since private inspection companies are typically hired by prospective home buyers, this service is redundant. He recommends that the Township eliminate the portion of the Ordinance requiring CCO's. The requirement for inspections of smoke detector and CO detectors must be maintained, and the Mayor is looking into the viability of the Fire Department conducting those inspections.

Administrator Joss discussed permit fee changes. An ordinance will be prepared for introduction at the February 25<sup>th</sup> meeting.

**OLD BUSINESS: COAH Update**

Mayor Higgins stated that the COAH Planner, Joe Burgis has been working on a new COAH plan. The Township's legal papers are nearly complete and ready to be filed with the Court, if need be. If the Township files with the Court, it should also address or include (1) its fair share number of affordable units and 2) a housing plan element and fair share compliance plan. The Planning Board and Township Council will have a joint meeting on March 2 with regard to a proposed draft housing plan element and fair share compliance plan. The Planning Board will have a regular meeting on March 16 with a public hearing on the new housing plan element and fair share compliance plan and the Fox Seals redevelopment area.

Mayor Higgins and Council President Mullay met with the members of the Annandale Reformed Church regarding parking concerns at the old Municipal Building on West St. and its redevelopment. A component of any redevelopment plan will be affordable housing. There will be a community meeting regarding redevelopment of the Old Municipal Building on February 21 at 10:00am at the Annandale Reformed Church.

**REPORTS:**

Mayor Higgins:

Mayor Higgins stated the Open Space Committee met and discussed plans for trails. The Committee is interested in meeting with Hunterdon Land Trust to discuss maintenance of open space properties.

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
February 11, 2015

Councilman Marra:

Councilman Marra stated the Recreation Committee did not meet due to snow.

Councilman Imbriaco:

No report

Councilwoman Switlyk:

Councilwoman Switlyk stated the Board of Education voted to approve full day kindergarten for the 2015-2016 school year by a margin of eight to one. The district will be open on Yom Kippur which is September 23. The Board approved the 2015-2016 calendar by a vote of six to three. The Board plans to take legal action after representatives from the teachers union walked out of a recent negotiation session by filing an unfair labor practice charge against the union with the Public Employee Relations Commission.

Council President Mullay:

Council President Mullay stated the Historic Commission had its reorganization meeting. The Historic Commission is still expressing interest in moving along the process to see if the Hamden historic district is worthy of nomination as a National and State historic district. The Planning Board reviewed the Fox/Seals (Old Municipal Building) plans with COAH Planner, Joe Burgis. The public hearing on whether to designate the site as a redevelopment area will be held March 16. The Planning Board heard an application from Exxon Mobile for the installation of one additional chemical storage locker on top of seven existing chemical storage lockers. The Sewerage Authority had its Reorganization meeting.

Administrator Joss:

Administrator Joss stated he met with Readington and Tewksbury Townships regarding the repaving of Potterstown Road, which is on the Township's road repair plan. The three towns will all chip in and have it paved in 2016. All three towns will apply for a grant. The County has taken on Animal Control services for several towns including Clinton Township. Mayor Higgins mentioned there was a court decision on December 14 regarding Apgar Lane. He believes the potential for a compromise between the neighbors exists. The Mayor and Administrator Joss will continue working with the neighbors.

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
February 11, 2015

**RESOLUTIONS:**

Action Item #1

Resolution #28-15 – Approving Participation in the Municipal Alliance – 2015-2016

Mayor Higgins 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 Imbriaco	Yes
Councilman Marra	Yes
Councilman President Mullay	Yes
Mayor Higgins	Yes

**WHEREAS**, The Township Council of the Township of Clinton, County of Hunterdon, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and,

**WHEREAS**, the Township Council of the Township of Clinton, further recognizes that it is incumbent upon not only public officials, but upon the entire community to take action to prevent such abuses in the community; and,

**WHEREAS**, the Township Council of the Township of Clinton supports the application for funding from Governor’s Council on Alcoholism and Drug Abuse through the County of Hunterdon;

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

1. The Township Committee does hereby support the submission of an application for the North Hunterdon Municipal Alliance grant for calendar year 2016 in the amount of \$27,511.00.
2. As Lead Municipality for the North Hunterdon Alliance, the Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the reporting of programs within its cluster area.

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
February 11, 2015

Action Item #2

Resolution #29-15 – Null and Void Resolution 48-14, Authorizing of a Person to Person Transfer – Kaup Restaurant Group to the Food Cure, LLC

Mayor Higgins 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 Imbriaco	Yes
Councilman Marra	Yes
Councilman President Mullay	Yes
Mayor Higgins	Yes

**WHEREAS**, The Food Cure, LLC, made an application for a Person to Person transfer of Alcoholic Beverage License #1006-33-013-009 heretofore issued to Steven Mitnick, assigned to Kaup Restaurant Group, known as Tiffany's;

**WHEREAS**, by Resolution #48-14 adopted April 23, 2014, the Township approved said Person to Person transfer; and

**WHEREAS**, a proper tax clearance was not issued by the State of New Jersey, Division of Taxation at the time of said transfer, and, therefore, the Township was without the requisite authority to approve said transfer.

**NOW, THEREFORE BE IT RESOLVED** that Resolution #48-14 is rescinded, and, further that said Person to Person license transfer is confirmed to be null and void on this 11<sup>th</sup> day of February, 2015.

**VOUCHERS:**

Mayor Higgins introduced the matter.

MOTION was offered by Councilman Imbriaco to approve the check control registers dated February 11, 2015 totaling \$969,225.00. Seconded by Councilwoman Switlyk. There being no further discussion the roll was called. Motion carried.

TOWNSHIP OF CLINTON  
REGULAR COUNCIL MEETING  
February 11, 2015

Roll Call:

Councilwoman Switlyk	Yes
Councilman Imbriaco	Yes
Councilman Marra	Yes
Councilman President Mullay	Yes
Mayor Higgins	Yes

**PUBLIC COMMENT:**

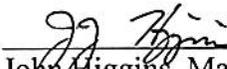
There was no public comment.

**MOTION TO ADJOURN:**

MOTION was offered by Councilwoman Switlyk to adjourn at 8:08 p.m. Seconded by Councilman Imbriaco. There being no further discussion a voice vote was called. All ayes. Motion carried.

ATTEST:

  
Carla Conner, Acting Township Clerk

  
John Higgins, Mayor

Adopted: March 11, 2015